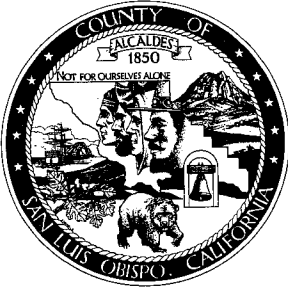


**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building		(2) MEETING DATE June 27, 2006		(3) CONTACT/PHONE Matt Janssen (781-5104)	
(4) SUBJECT Continued hearing to consider an appeal by Yvonne Reiter-Brown of the Hearing Officer approval of a request by Arthur Anderson for a Minor Use Permit/Coastal Development Permit (DRC2005-00002) to allow the construction of a new 4,738 square foot single family residence. Supervisorial District 2.					
(5) SUMMARY OF REQUEST The Board is asked to consider the appeal by the appellant, which is focused on the potential off-site drainage impacts of the project.					
(6) RECOMMENDED ACTION Adopt the resolution denying the appeal, affirming the decision of the Hearing Officer and conditionally approving the application of Arthur Anderson for a Minor Use Permit/Coastal Development Permit (DRC2005-00002) based on the findings in Exhibit A and conditions in Exhibit B.					
(7) FUNDING SOURCE(S) N/A		(8) CURRENT YEAR COST N/A		(9) ANNUAL COST N/A	
(10) BUDGETED? <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A					
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST): Los Osos Citizens Advisory Council, County Public Works, and the California Coastal Commission					
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent _____ <input type="checkbox"/> Limited Term _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Temporary Help _____					
(13) SUPERVISOR DISTRICT(S) <input type="checkbox"/> 1st, <input checked="" type="checkbox"/> 2nd, <input type="checkbox"/> 3rd, <input type="checkbox"/> 4th, <input type="checkbox"/> 5th, <input type="checkbox"/> All			(14) LOCATION MAP <input checked="" type="checkbox"/> Attached <input type="checkbox"/> N/A		(15) Maddy Act Appointments Signed-off by Clerk of the Board
(16) AGENDA PLACEMENT <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Hearing (Time Est. <u>30 minutes</u>) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est. _____)			(17) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input type="checkbox"/> Ordinances (Orig + 4 copies) <input type="checkbox"/> N/A		
(18) NEED EXTRA EXECUTED COPIES? <input type="checkbox"/> Number: _____ <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A			(19) APPROPRIATION TRANSFER REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A		
(20) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) _____			(21) W-9 <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		(22) Agenda Item History <input type="checkbox"/> N/A Date <u>April 25,</u> <u>2006</u>
(23) ADMINISTRATIVE OFFICE REVIEW <div style="text-align: right; padding-right: 50px;"> <i>OK Leslie Brown</i> <i>6-27-06</i> <i>C-6</i> </div>					




SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

TO: BOARD OF SUPERVISORS

FROM: MATT JANSSEN, CURRENT PLANNING

VIA: WARREN HOAG, DIVISION MANAGER, CURRENT PLANNING 

DATE: JUNE 27, 2006

SUBJECT: CONTINUED HEARING TO CONSIDER AN APPEAL BY YVONNE REITER-BROWN OF THE HEARING OFFICER APPROVAL OF A REQUEST FOR A MINOR USE PERMIT/COASTAL DEVELOPMENT PERMIT (DRC2005-00002) TO ALLOW THE CONSTRUCTION OF A NEW 4,738 SQUARE FOOT SINGLE FAMILY RESIDENCE. SUPERVISORIAL DISTRICT 2.

RECOMMENDATION

Adopt the resolution denying the appeal, affirming the decision of the Hearing Officer and conditionally approving the application of Arthur Anderson for a Minor Use Permit/Coastal Development Permit (DRC2005-00002) based on the findings in Exhibit A and Conditions in Exhibit B.

DISCUSSION

On January 6, 2006, a Minor Use Permit/Coastal Development Permit was approved by the Planning Department Hearing Officer to allow the construction of a new 4,738 square foot single family residence. The proposed single family residence will be located on an approximately 2.8 acre site (one of four parcels created with a recently recorded parcel map under the name of Starr). The subject site is within the Residential Suburban land use category and is located at the northern terminus of Starr Court, approximately 80 feet north of Valley View Lane, in the community of Los Osos. The site is within the Estero planning area.

On January 20, 2006, the Planning Department received an appeal from one of the adjacent landowners (Yvonne Reiter-Brown). The appeal is focused on the issue of drainage at the project site. On April 25, 2006, your Board continued the item to June



27, 2006, to allow for more time for County Public Works and the Coastal Commission to review the drainage issue at the project site. Coastal Commission staff agreed to review the project drainage plan at the request of the appellant.

The following is a discussion of the issue raised in the appeal.

APPEAL ISSUES

Issue – Drainage from site will adversely impact the Sensitive Resource Area to the north

Staff response:

Drainage in this four lot subdivision is being handled in two separate, but standard methods. First, the drainage at each site is being contained on site to the greatest extent feasible with on-site systems consisting of French drains, perforated pipes, and deep pits. Second, the drainage from the entire subdivision is being handled with a system of street drains, drop inlets, pipes, and energy dissipaters (i.e. small granite rock piles set in concrete used to absorb the energy from flowing water before it can erode soil). The drainage system for the entire subdivision was reviewed and approved by County Public Works during the processing of the original subdivision (approved in 1997 and recorded in 2003).

The on-site drainage system proposed for the Anderson parcel is similar to the drainage systems proposed and/or already in place on the other three parcels in the subdivision. It consists of a system of French drains, underground pipes, and deep seepage pits. The system is designed to keep the drainage leaving each individual site to an amount less than or equal to the drainage from each site before construction (i.e. less than or equal to natural conditions). The drainage system for the Anderson site has been slightly modified since the time of the Hearing Officer's approval at the request of County Public Works. Public Works requested the seepage pit sizes be increased to increase their holding capacity. The applicant has responded positively to this request and made the appropriate changes on the proposed plans. The appellant and the Coastal Commission have been forwarded a copy of the revised drainage plan for the site. To date, there has been no formal response from the Coastal Commission on the issue of drainage for the site. Therefore, staff concludes that the applicant has adequately addressed the issue of drainage at the project site.

The issue of whether the drainage system for entire subdivision operates adequately is not the responsibility of just one property owner within the subdivision. Nevertheless, staff has visited the site and reviewed the potential for adverse cumulative drainage impacts from the subdivision on the Sensitive Resource Area to the north (Los Osos

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Oaks Preserve). After discussing the issue with County Public Works, staff has concluded that (in hindsight) it would have been better to install a seepage pit at the northern end of the main drain pipe for the subdivision to reduce the potential for adverse erosion towards the Los Osos Oaks Preserve. However, the existing drainage system for the subdivision appears to be working adequately today (without a seepage pit), and there is no evidence to suggest that the construction of Mr. Anderson's residence will trigger the need for additional mitigation. Therefore, it is the opinion of staff that Mr. Anderson should not be held responsible for the cost of making improvements to an existing system that was reviewed and approved by the county, was not appealed to or by the Coastal Commission, is currently working, and should continue to work adequately with proper maintenance.

OTHER AGENCY INVOLVEMENT

The Los Osos Citizens Advisory Council reviewed the project and had no comments.

County Public Works has reviewed the proposed drainage plan for the site and made some suggested changes to the applicant to the system. The applicant has responded positively to the suggested changes and incorporated the changes into the new design (specifically enlarging the size of the seepage pits for the project site).

The Coastal Commission was sent a referral for the subject project and did not respond to the original referral. However, at the request of the appellant, Commission staff became interested in reviewing the drainage systems at the project site. County staff has been in contact with Coastal Commission staff via e-mail since the time of the continuance on April 25, 2006, but has not yet received a formal response from the Commission staff. Coastal Commission staff indicated originally that they wanted their Water Quality Specialist to review the project. If correspondence from Commission staff is received between the production date of this staff report and the hearing date, staff will forward those comments to the Board.

FINANCIAL CONSIDERATIONS

The required appeal fee was waived because the appeal listed "inconsistency with our Local Coastal Program" as one of the issues of appeal.

RESULTS

Denial of the appeal and conditional approval of Minor Use Permit/Coastal Development Permit DRC2005-00002 will allow for the project to go forward as proposed. Upholding the appeal would require the project's proposed drainage system to be modified before it can go forward.

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ATTACHMENTS

1. Resolution denying the appeal and affirming the Hearing Officer's decision
2. Appeal form
3. Planning Department Hearing (PDH) staff report

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IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

_____ day _____, 20__

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

RESOLUTION AFFIRMING THE DECISION OF THE HEARING OFFICER AND
CONDITIONALLY APPROVING THE APPLICATION OF ARTHUR ANDERSON FOR
MINOR USE PERMIT/COASTAL DEVELOPMENT PERMIT DRC2005-00002

The following resolution is now offered and read:

WHEREAS, on January 6, 2006, the Zoning Administrator of the County of San Luis Obispo (hereinafter referred to as the "Hearing Officer") duly considered and conditionally approved the application of Arthur Anderson for Minor Use Permit/Coastal Development Permit DRC2005-00002; and

WHEREAS, Yvonne Reiter-Brown has appealed the Hearing Officer's decision to the Board of Supervisors of the County of San Luis Obispo (hereinafter referred to as the "Board of Supervisors") pursuant to the applicable provisions of Title 23 of the San Luis Obispo County Code; and

WHEREAS, a public hearing was duly noticed and conducted by the Board of Supervisors on April 25, 2006, and the matter was continued to and determination and decision was made on June 27, 2006; and

WHEREAS, at said hearing, the Board of Supervisors heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to said appeal; and

WHEREAS, the Board of Supervisors has duly considered the appeal and finds that the appeal should be denied and the decision of the Hearing Officer should be affirmed subject to the findings and conditions set forth below.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth hereinabove are true, correct and valid.
2. That the Board of Supervisors makes all of the findings of fact and determinations set forth in Exhibit A attached hereto and incorporated by reference herein as though set forth in full.

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3. That the negative declaration prepared for this project is hereby approved as complete and adequate and as having been prepared in accordance with the provisions of the California Environmental Quality Act,

4. That the Board of Supervisors has reviewed and considered the information contained in the negative declaration together with all comments received during the public review process prior to approving the project

5. That the appeal filed by Yvonne Reiter-Brown is hereby denied, and the decision of the Hearing Officer is affirmed, and that the application of Arthur Anderson for Minor Use Permit/Coastal Development Permit DRC2005-00002 is hereby approved subject to the conditions of approval set forth in Exhibit B attached hereto and incorporated by reference herein as though set forth in full.

Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted.

Chairman of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.
County Counsel

By: _____

Deputy County Counsel

Dated: _____

June 14, 2006

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STATE OF CALIFORNIA,)
)
County of San Luis Obispo) ss

I, _____, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this _____ day of _____, 2006.

County Clerk and Ex-Officio Clerk of the
Board of Supervisors

(SEAL)

By: _____
Deputy Clerk

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EXHIBIT A - FINDINGS

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on November 24, 2005 for this project. Mitigation measures are proposed to address cultural resources, public services / utilities, and transportation / circulation and are included as conditions of approval.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies/does not satisfy all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the new single family residence will not conflict with the surrounding lands and uses.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is an allowed use and will not conflict with the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Starr Court (off of Valley View Lane), a local road constructed to a level able to handle any additional traffic associated with the project

Coastal Access

- G. The project site is not located between the first public road and the ocean and is not within an urban reserve line. Public access-ways exist within 7 miles from the site; therefore, the proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act

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EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes a 4738 square foot single family residence with attached garage.

Conditions required to be completed at the time of application for construction permits

Site Development

2. The applicant shall submit plans that show all development consistent with the approved site plan, floor plan, and architectural elevations.
3. The applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.
4. The applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys, etc. and darker green, grey, slate blue, or brown colors for the roof structures.
5. The applicant shall submit landscape, irrigation, landscape maintenance plans and specifications to the Environmental Coordinator. The landscape plan shall be prepared as provided in Section 23.40.186 of the San Luis Obispo County Coastal Zone Land Use Ordinance and shall minimize the appearance of the new development when viewed from Valley View Lane. All plants utilized shall be drought tolerant.
6. The applicant shall show evidence that the proposed residences have been exempted from the basin plan discharge prohibition by the Regional Water Quality Control Board.

Fire Safety

7. All plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated August 17, 2005.

Services

8. The applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.
9. The applicant shall provide a letter from California Cities Water Company stating they are willing and able to service the property.

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Conditions to be completed prior to issuance of a construction permit

Environmental Mitigation

10. **Prior to issuance of construction permits**, the applicant shall submit a monitoring plan prepared by a subsurface qualified archaeologist, for the review and approval of the Environmental Coordinator. The monitoring plan shall include:
- a. List of personnel involved in the monitoring activities;
 - b. Description of how the monitoring shall occur;
 - c. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
 - d. Description of what resources are expected to be encountered;
 - e. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
 - f. Description of procedures for halting work on the site and notification procedures;
 - g. Description of monitoring reporting procedures.

Public Works

11. The applicant shall meet all the requirements of the Department of Public Works, including the approved drainage plan.

Fees

12. The applicant shall pay all applicable school and public facilities fees.
13. Construction areas shall be clearly flagged. All construction shall then be limited to within the flagged areas.

Conditions to be completed during project construction

Building Height

14. The maximum height of the project is 29 feet from finished natural-grade.
- a. **Prior to any site disturbance**, a licensed surveyor or civil engineer shall stake the lot corners, building corners, and establish average natural grade and set a reference point (benchmark).
 - b. **Prior to approval of the foundation inspection**, the benchmark shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.
 - c. **Prior to approval of the roof nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

Environmental Mitigation

15. **During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist, approved by the Environmental Coordinator, to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigations as required by the Environmental Coordinator.

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Conditions to be completed prior to occupancy or final building inspection /establishment of the use

Landscaping

16. Landscaping in accordance with the approved landscaping plan shall be installed. All landscaping shall be maintained in a viable condition in perpetuity.

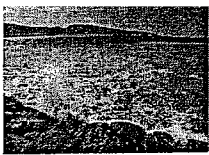
Environmental Mitigation

17. **Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection, whichever occurs first**, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

On-going conditions of approval (valid for the life of the project)

18. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
19. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.
20. The applicant is encouraged to retrofit higher flow water fixtures within the Urban Reserve Line area of Los Osos.
21. The applicant shall as a condition of approval of this minor use permit at his sole expense, any action brought against the County of San Luis Obispo, its present or former officers, agents, or employees, by a third party challenging either its decision to approve this minor use permit or the manner in which the County is interpreting or enforcing the conditions of this minor use permit, or any other action by a third party relating to approval or implementation of this minor use permit. The applicant shall reimburse the County for any court costs and attorney fees that the County may be required by a court to pay as a result of such action, but such participation shall not relieve the applicant of his obligation under this condition.

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Coastal Zone Appeal Application

San Luis Obispo County Department of Planning and Building

NOTE: To appeal a Board of Supervisors decision you will need to obtain appeal forms from the California Coastal Commission - 725 Front Street, Suite 300 - Santa Cruz, CA (408) 427-4863

RECEIVED

JAN 20 2006

PROJECT INFORMATION

Type of permit being appealed:

- ☐ Plot Plan ☒ Minor Use Permit ☐ Development Plan ☐ Variance ☐ Land Division
- ☐ Lot Line Adjustment ☐ Other _____ File Number: DEC 2005-10002
ARTHUR ANDERSON

The decision was made by:

- ☒ Planning Director ☐ Building Official ☐ Administrative Hearing Officer ☐ Subdivision Review Board
- ☐ Planning Commission ☐ Other _____ Date the application was acted on _____

The decision is appealed to:

- ☐ Board of Construction Appeals ☐ Board of Handicapped Access ☐ Planning Commission ☒ Board of Supervisors

BASIS FOR APPEAL

Please note: An appeal must be filed by an aggrieved person or the applicant at each stage in the process if they are still unsatisfied by the last action.

- ☒ INCOMPATIBLE WITH THE LCP. The development does not conform to the standards set forth in the certified Local Coastal Program of the county for the following reasons (attach additional sheets if necessary) not
- Explain: Plans for drainage into Sensitive Resource Area complete
- ☐ INCOMPATIBLE WITH PUBLIC ACCESS POLICIES: The development does not conform to the public access policies of the California Coastal Act - Section 30210 et seq. Of the Public Resource Code (attach additional sheets if necessary)
- Explain: _____

Specific Conditions. The specific conditions that I wish to appeal that relate to the above referenced grounds for appeal are:

Condition Number	Reason for appeal (attach additional sheets if necessary)

APPELLANT INFORMATION

Print name: Yvonne Reiter-Brown

Address: 2510 La Mirada Lane Phone Number (daytime): 781-7849

I/We are the applicant or an aggrieved person pursuant to the Coastal Zone Land Use Ordinance (CZLUO) and are appealing the project based on either one or both of the following grounds, as specified in the CZLUO and State Public Resource Code Section 30603 and have completed this form accurately and declare all statements made here are true.

Signature

[Signature]

Date

1-20-06

OFFICE USE ONLY

Date Received: _____
Amount Paid: _____

By: _____
Receipt No. (if applicable): C-613

Revised 5/05/04/LF

* No drainage plan at Planning meeting.
Coastal Commission advised(me) that
addition oversight would be valuable
and this Appeal ~~will~~ will be
with drawn upon satisfactory
completion of drainage system
in Starr Court.

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Promoting the wise use of land
Helping build great communities

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

Tentative Notice of Action

MEETING DATE January 6, 2006 LOCAL EFFECTIVE DATE January 20, 2006 APPROX FINAL EFFECTIVE DATE February 10, 2006	CONTACT/PHONE Kerry Brown, Project Manager 805-781-5713	APPLICANT Arthur Anderson	FILE NO. DRC2005-00002
SUBJECT A request by Arthur Anderson for a Minor Use Permit/Coastal Development Permit to allow to allow a 4,738 square foot single family residence with attached garage. The project will result in the disturbance of approximately 5,000 square feet of a 2.79 acre parcel. The proposed project is within the Residential Suburban land use category and is located at the northern terminus of Starr Court, approximately 80 feet north of Valley View Lane in the community of Los Osos. The site is in the Estero planning area.			
RECOMMENDED ACTION 1. Adopt the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Minor Use Permit DRC2005-00002 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on November 24, 2005 for this project. Mitigation measures are proposed to address cultural resources, public services / utilities, and transportation / circulation and are included as conditions of approval.			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION Local Coastal Plan, Archaeologically Sensitive, and Coastal Appealable Zone	ASSESSOR PARCEL NUMBER 074-325-061	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: No Area Plan standards. <i>Does the project meet applicable Planning Area Standards:</i> Not applicable			
LAND USE ORDINANCE STANDARDS: Local Coastal Plan, Coastal Appealable Zone, Archaeologically Sensitive <i>Does the project conform to the Land Use Ordinance Standards:</i> Yes - see discussion			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14 calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT:
COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242

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EXISTING USES: Vacant	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Open Space; State Park <i>South:</i> Residential Suburban; residential <i>East:</i> Residential Suburban; residential <i>West:</i> Residential Single Family; residential	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to the Los Osos Community Advisory Council, Public Works, South Bay Fire Department, California Cities Water, and the California Coastal Commission.	
TOPOGRAPHY: Moderately Sloping	VEGETATION: Morro manzanita, Maritime chaparral
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: On-site septic system Fire Protection: County Fire / CDF	ACCEPTANCE DATE: August 5, 2005

PROJECT HISTORY

A four-lot cluster parcel map was approved on the site in May of 1997 (CO 95-055). The map recorded on October 15, 2003. A Minor Use Permit for residences on three of the four parcels was approved on October 7, 2005 and appealed on that same day (MUP D010161P). The appeal was not upheld by the Board, and the project was approved however that project is also appealable to or by the Coastal Commission, so the final outcome of that permit is not yet known. The appeal was based on inconsistencies with the Local Coastal Program, specifically compatibility with the surrounding area, and the size of the new residences.

An adjacent neighbor has indicated concerns about the size of the applicant's proposed residence. In an effort to address these concerns, staff is recommended two conditions that will require landscaping and muted colors to minimize the massing of the proposed residence.

PLANNING AREA STANDARDS:

There are no planning area standards in the adopted Estero Area Plan that apply to this parcel.

COASTAL ZONE LAND USE ORDINANCE STANDARDS:

Section 23.07.120 - Local Coastal Program

The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Program.

Section 23.01.043 - Appeals to the Coastal Commission (Coastal Appealable Zone)

The project is appealable to the Coastal Commission because the site is located between the first public road (Los Osos Valley Road) and the ocean.

Section 23.07.104 - Archaeologically Sensitive Areas

The project site is within a mapped Archaeologically Sensitive Area. A Cultural Resource Inventory was previously done, (Gibson, February 1984) for the parcel. The results of the survey found that prehistorical resources are present on the parcel. Since there is substantial

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evidence that the site contains cultural resources, monitoring has been required and is a condition of approval.

COASTAL PLAN POLICIES: This project is in compliance with the Coastal Plan Policies, the most relevant policies are discussed below.

Environmental Sensitive Habitats

Policy 1: Land Uses within or adjacent to Environmentally Sensitive Habitats. *Although the site is not located in a mapped environmental sensitive habitat, the site supports a federally threatened species (Morro manzanita), the applicant is required to replace all Morro manzanita plants impacted at a 5:1 ratio and place 60% of the parcel 4 in an open space easement.*

Coastal Watersheds:

Policy 7: Siting of new development: *The proposed project is consistent with this policy because the new residences will be located on existing lots of record in the Residential Suburban category on a slope less than 20 percent.*

Policy 8: Timing of new construction: *The proposed project is consistent with this policy because the project is required to have an erosion and sedimentation control plan and all slope and erosion control measures will be in place before the start of the rainy season.*

Policy 10: Drainage Provisions: *The proposed project is consistent with this policy because the project is required to have a drainage plan that shows the construction of the new garage will not increase erosion or runoff.*

Archeology:

Policy 4: Preliminary Site Survey for Development within Archaeologically Sensitive Areas applies to the project. *A Cultural Resource Inventory was previously done, (Gibson, February 1984) for the parcel. The results of the survey found that prehistorical resources are present on the parcel. Since there is substantial evidence that the site contains cultural resources, monitoring has been required and is a condition of approval.*

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

COMMUNITY ADVISORY GROUP COMMENTS: A referral was sent to the Los Osos Community Advisory Council. The advisory did not support the project based on the location of the new residence (outside of the prohibition zone) and the recent Water Management report. LOCAC believes no new home construction should be approved until there is resolution to this issue. LOCAC acknowledged that the project is compatible with their Vision Statement and to the best of their knowledge is in conformance with land use ordinances.

AGENCY REVIEW:

County Public Works - Recommend approval, No concerns at this time. Los Osos Road Fees will be due.

County Fire/ CDF -Fire Plan.

California Cities Water - No comment.

Coastal Commission - No response.

Staff report prepared by Kerry Brown and reviewed by Matt Janssen

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EXHIBIT A - FINDINGS

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on November 24, 2005 for this project. Mitigation measures are proposed to address cultural resources, public services / utilities, and transportation / circulation and are included as conditions of approval.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies/does not satisfy all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the new single family residence will not conflict with the surrounding lands and uses.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is an allowed use and will not conflict with the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Starr Court (off of Valley View Lane), a local road constructed to a level able to handle any additional traffic associated with the project

Coastal Access

- G. The project site is not located between the first public road and the ocean and is not within an urban reserve line. Public access-ways exist within 7 miles from the site; therefore, the proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act

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EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes a 4738 square foot single family residence with attached garage.

Conditions required to be completed at the time of application for construction permits

Site Development

2. The applicant shall submit plans that show all development consistent with the approved site plan, floor plan, and architectural elevations.
3. The applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.
4. The applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys, etc. and darker green, grey, slate blue, or brown colors for the roof structures.
5. The applicant shall submit landscape, irrigation, landscape maintenance plans and specifications to the Environmental Coordinator. The landscape plan shall be prepared as provided in Section 23.40.186 of the San Luis Obispo County Coastal Zone Land Use Ordinance and shall minimize the appearance of the new development when viewed from Valley View Lane. All plants utilized shall be drought tolerant.
6. The applicant shall show evidence that the proposed residences have been exempted from the basin plan discharge prohibition by the Regional Water Quality Control Board.

Fire Safety

7. All plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated August 17, 2005.

Services

8. The applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.
9. The applicant shall provide a letter from California Cities Water Company stating they are willing and able to service the property.

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Conditions to be completed prior to issuance of a construction permit

Environmental Mitigation

10. **Prior to issuance of construction permits**, the applicant shall submit a monitoring plan prepared by a subsurface qualified archaeologist, for the review and approval of the Environmental Coordinator. The monitoring plan shall include:
- List of personnel involved in the monitoring activities;
 - Description of how the monitoring shall occur;
 - Description of frequency of monitoring (e.g. full-time, part time, spot checking);
 - Description of what resources are expected to be encountered;
 - Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
 - Description of procedures for halting work on the site and notification procedures;
 - Description of monitoring reporting procedures.

Public Works

11. The applicant shall meet all the requirements of the Department of Public Works.

Fees

12. The applicant shall pay all applicable school and public facilities fees.
13. Construction areas shall be clearly flagged. All construction shall then be limited to within the flagged areas.

Conditions to be completed during project construction

Building Height

14. The maximum height of the project is 29 feet from finished ~~natural~~ grade.
- Prior to any site disturbance**, a licensed surveyor or civil engineer shall stake the lot corners, building corners, and establish average natural grade and set a reference point (benchmark).
 - Prior to approval of the foundation inspection**, the benchmark shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.
 - Prior to approval of the roof nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

Environmental Mitigation

15. **During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist, approved by the Environmental Coordinator, to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigations as required by the Environmental Coordinator.

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Conditions to be completed prior to occupancy or final building inspection / establishment of the use

Landscaping

16. Landscaping in accordance with the approved landscaping plan shall be installed. All landscaping shall be maintained in a viable condition in perpetuity.

Environmental Mitigation

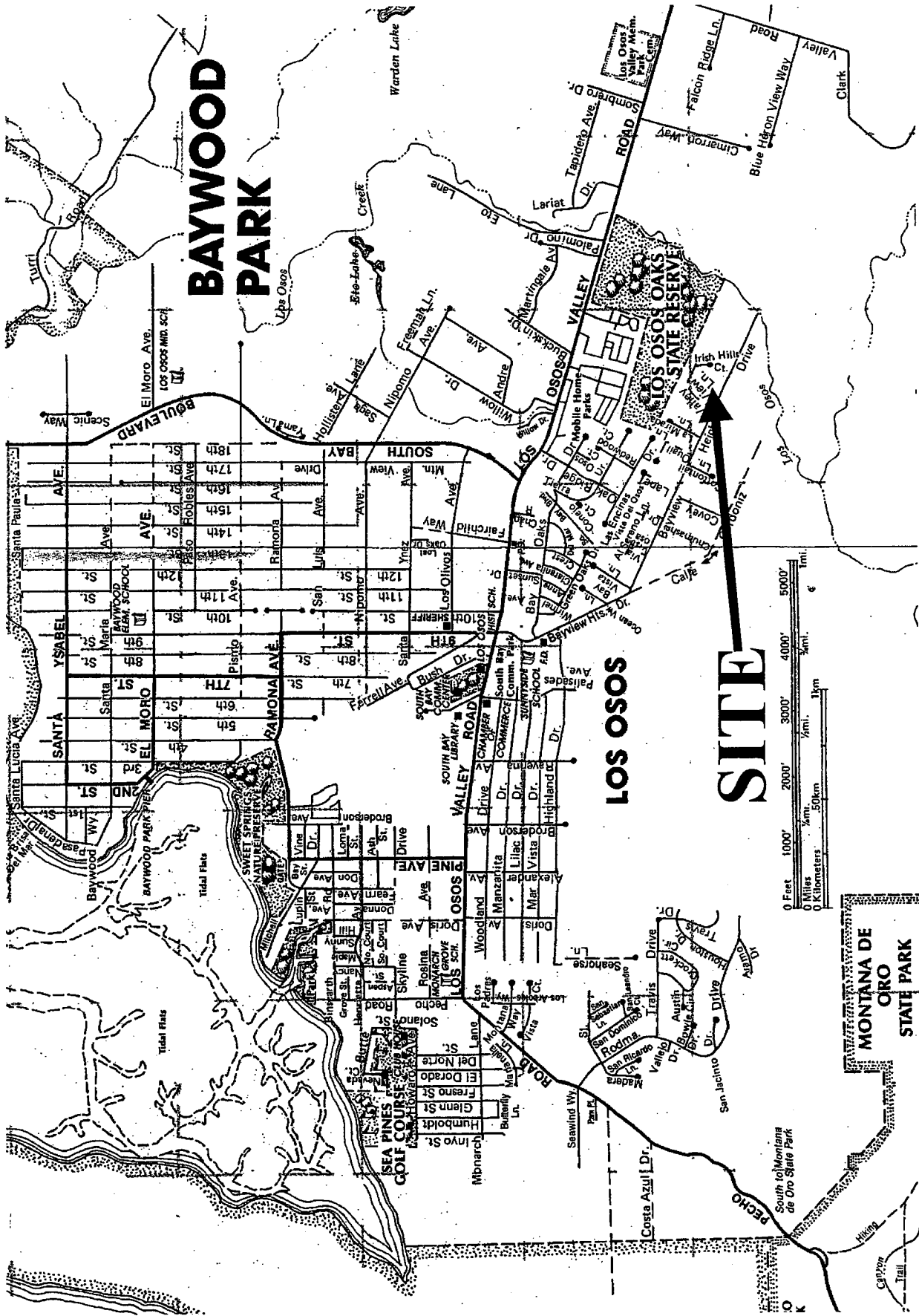
17. **Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection, whichever occurs first**, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

On-going conditions of approval (valid for the life of the project)

18. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
19. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.

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PROJECT

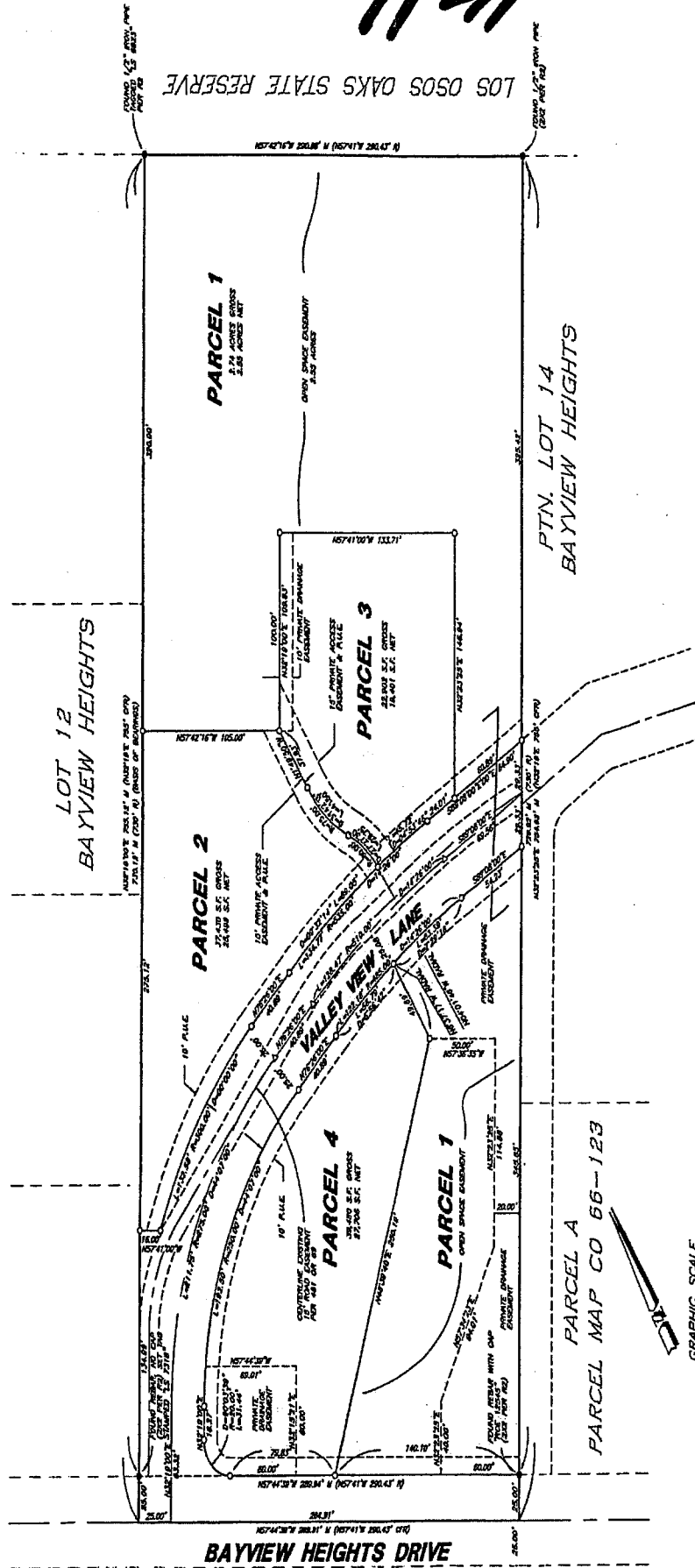
Minor Use Permit
ANDERSON DRC2005-00002



EXHIBIT

Vicinity Map

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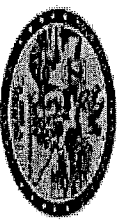


PROJECT

Minor Use Permit
ANDERSON DRC2005-00002

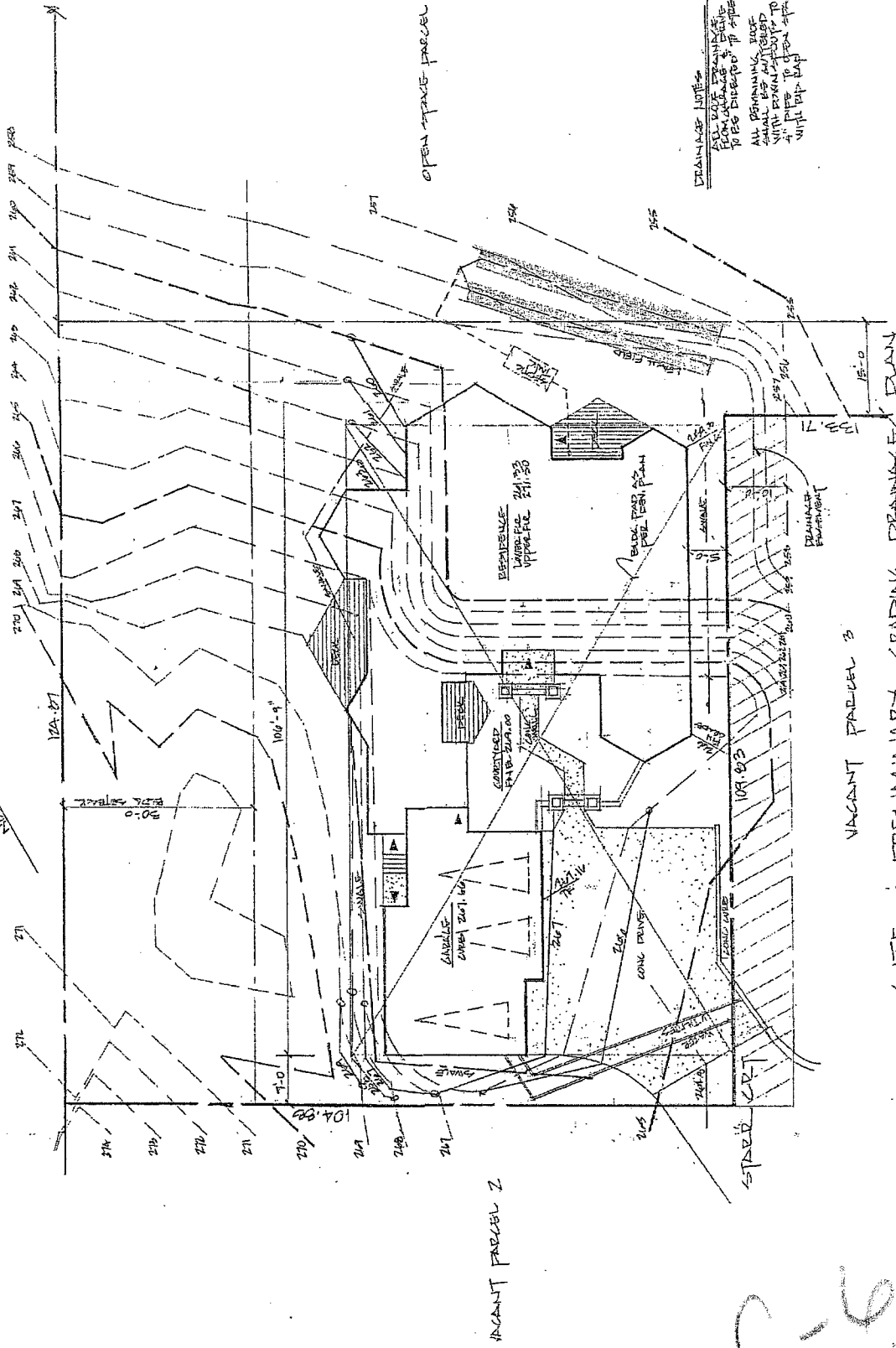
EXHIBIT

Overall Site Plan 2



REFERENCE

REFERENCE



11-12

DRAINAGE NOTES
ALL DRAINAGE VES
SHALL BE INSTALLED
WITH EXISTING TO
4" PIPES TO OPEN STRE
WITH 10' R.P.D.

VACANT PARCEL 3

SITE - PRELIMINARY GRADING, DRAINAGE, PLAN

PROJECT

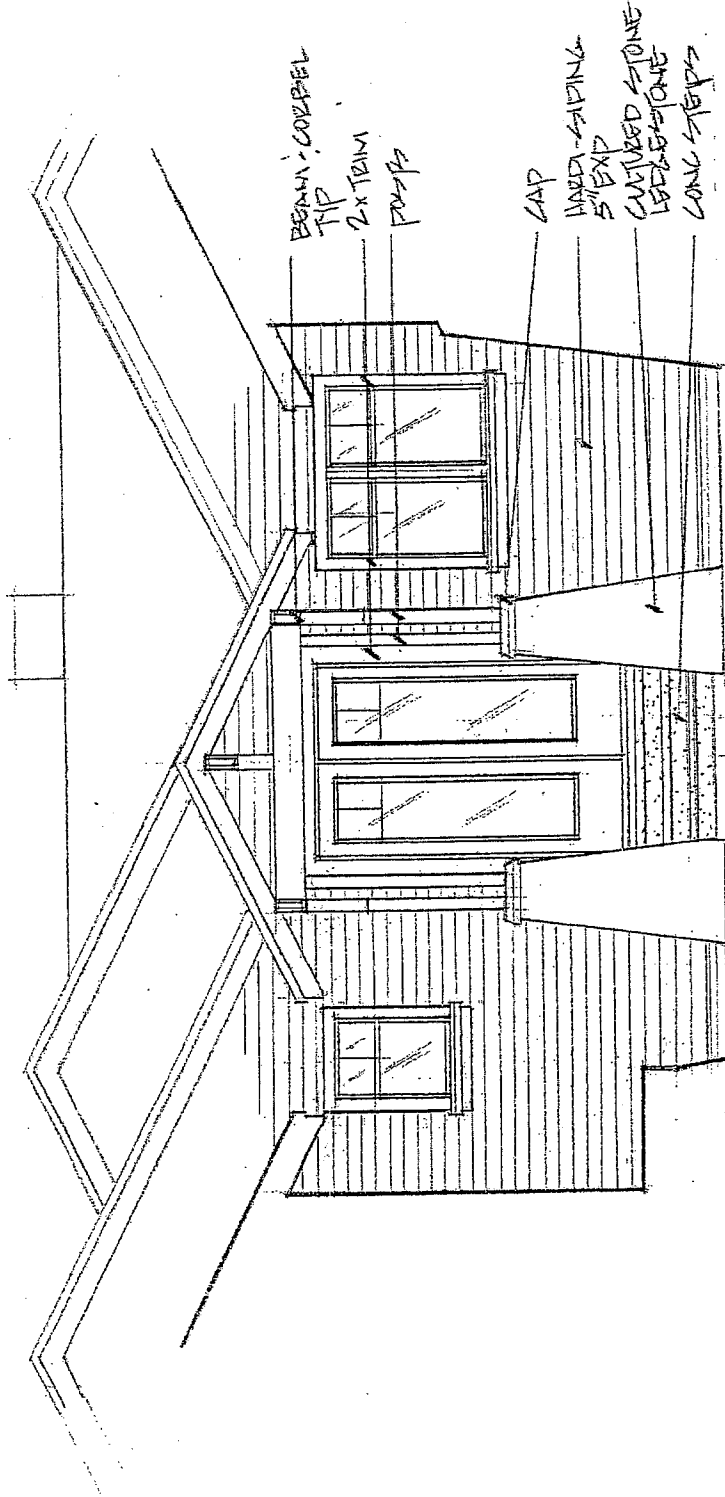
Minor Use Permit
ANDERSON DRC2005-00002



EXHIBIT

Site Plan

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COURTYARD ELEVATION (SOUTH)

SCALE 1/4" = 1' - 0"

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EXHIBIT

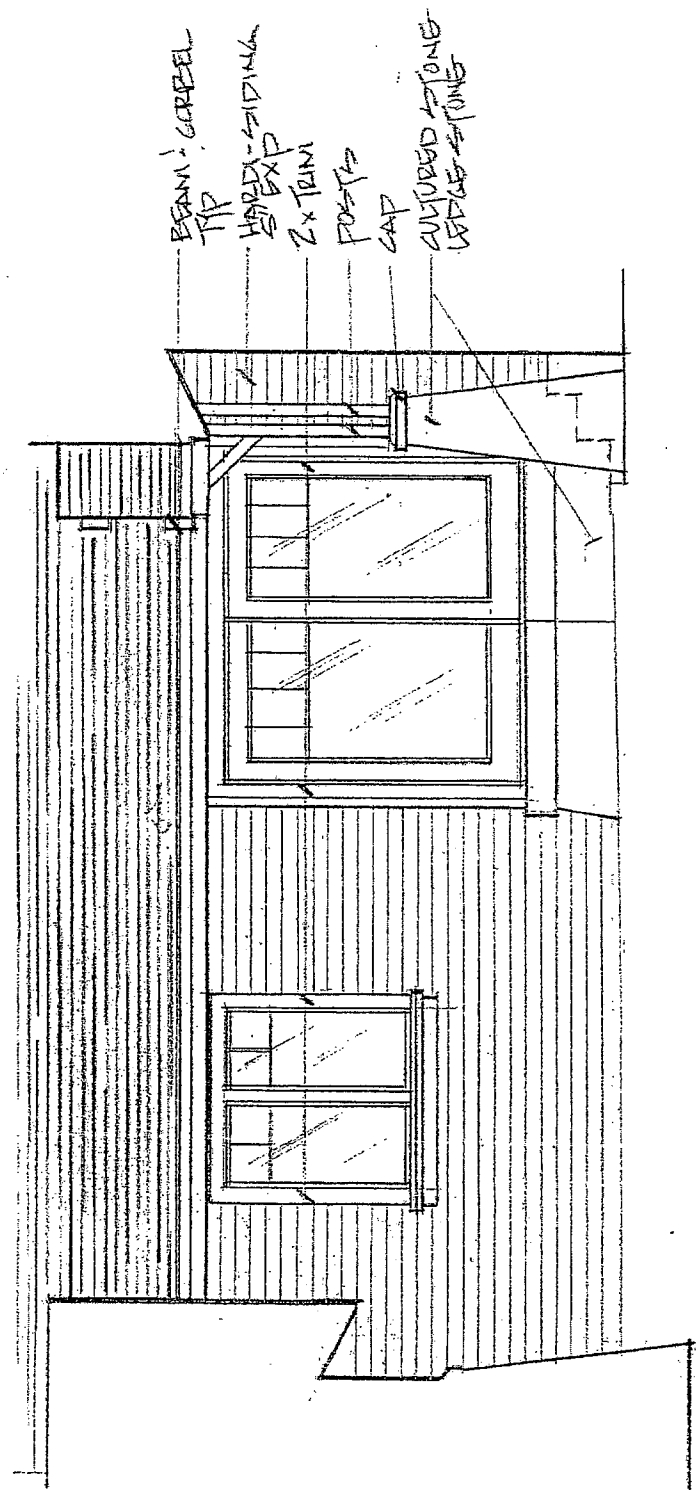
Courtyard Elevation



PROJECT

Minor Use Permit
ANDERSON DRC2005-00002

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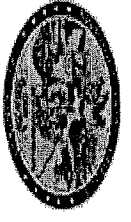


COURTYARD ELEVATION (EAST)

SCALE 1/4" = 1' - 0

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EXHIBIT

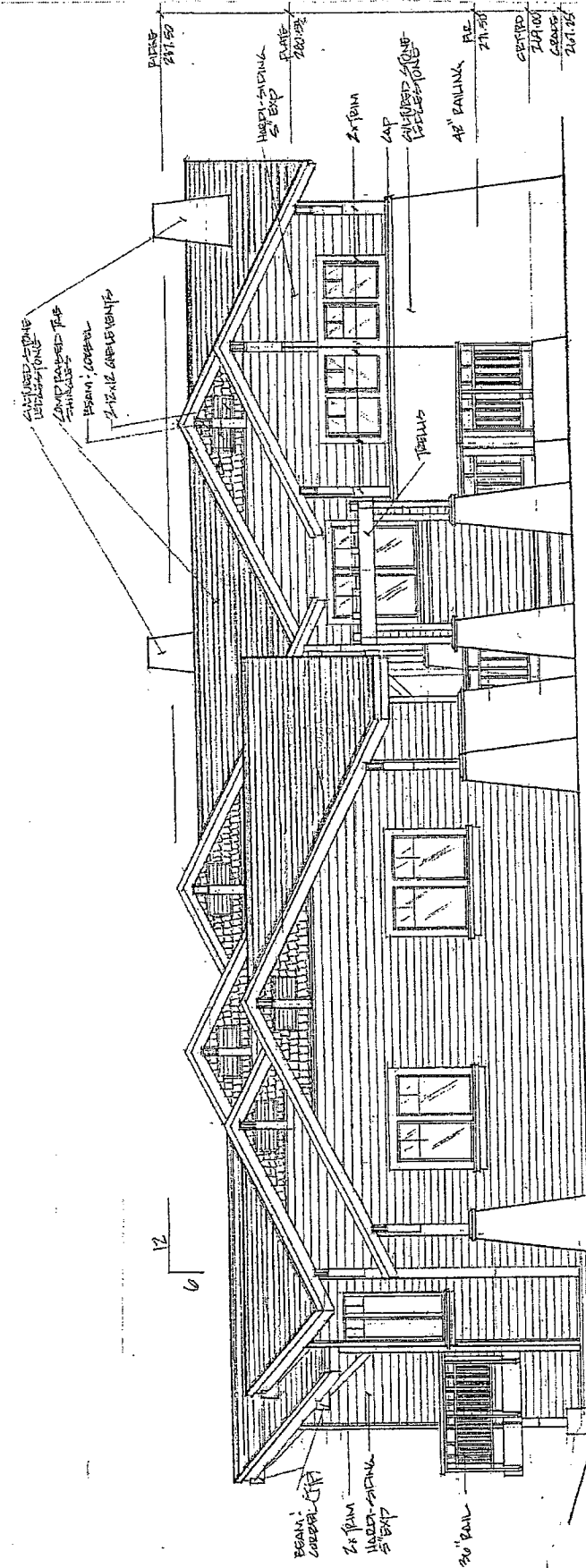


PROJECT

Minor Use Permit
ANDERSON DRC2005-00002

Courtyard Elevation

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SOUTH ELEVATION

SCALE: 1/4" = 1'

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PROJECT

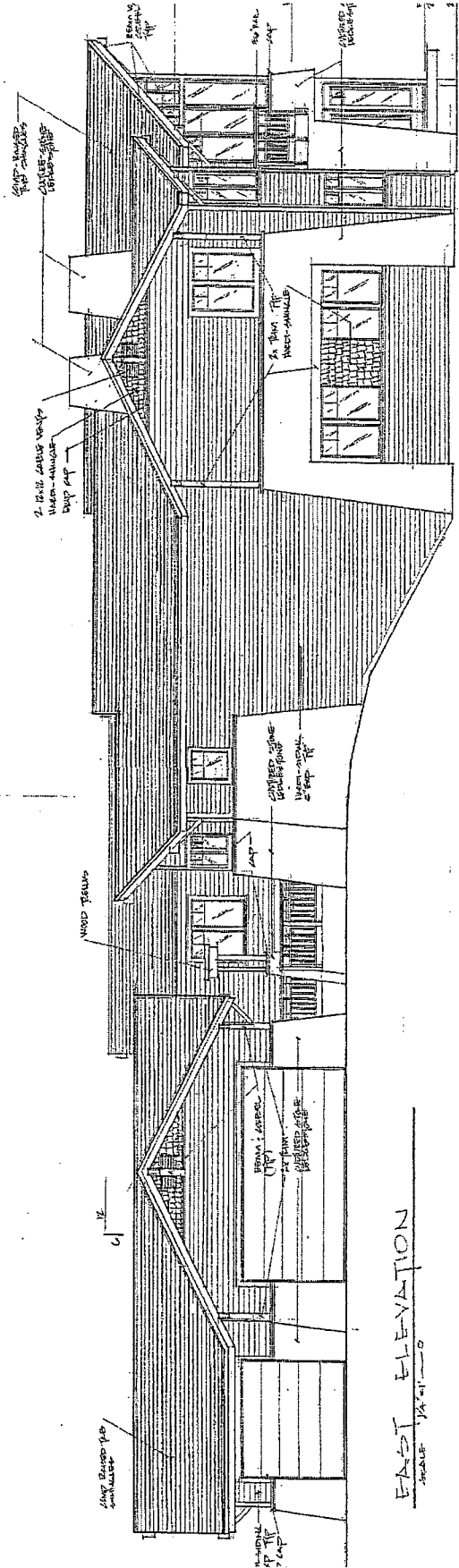
Minor Use Permit
ANDERSON DRC2005-00002

EXHIBIT

Elevations



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EAST ELEVATION

SCALE 1/4\"/>

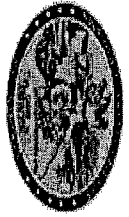
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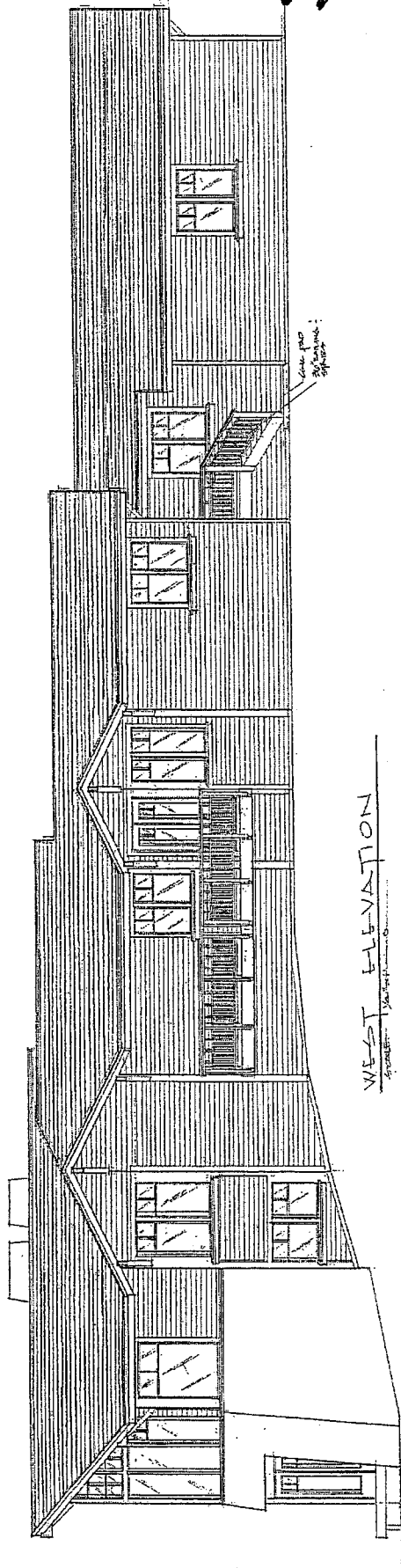
PROJECT

Minor Use Permit
ANDERSON DRC2005-00002

EXHIBIT

Elevations





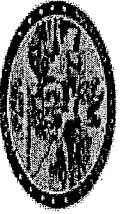
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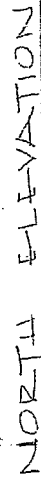
PROJECT

Minor Use Permit
ANDERSON DRC2005-00002

EXHIBIT



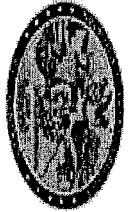
Elevations



End A. 15- 1/4 24' - 0

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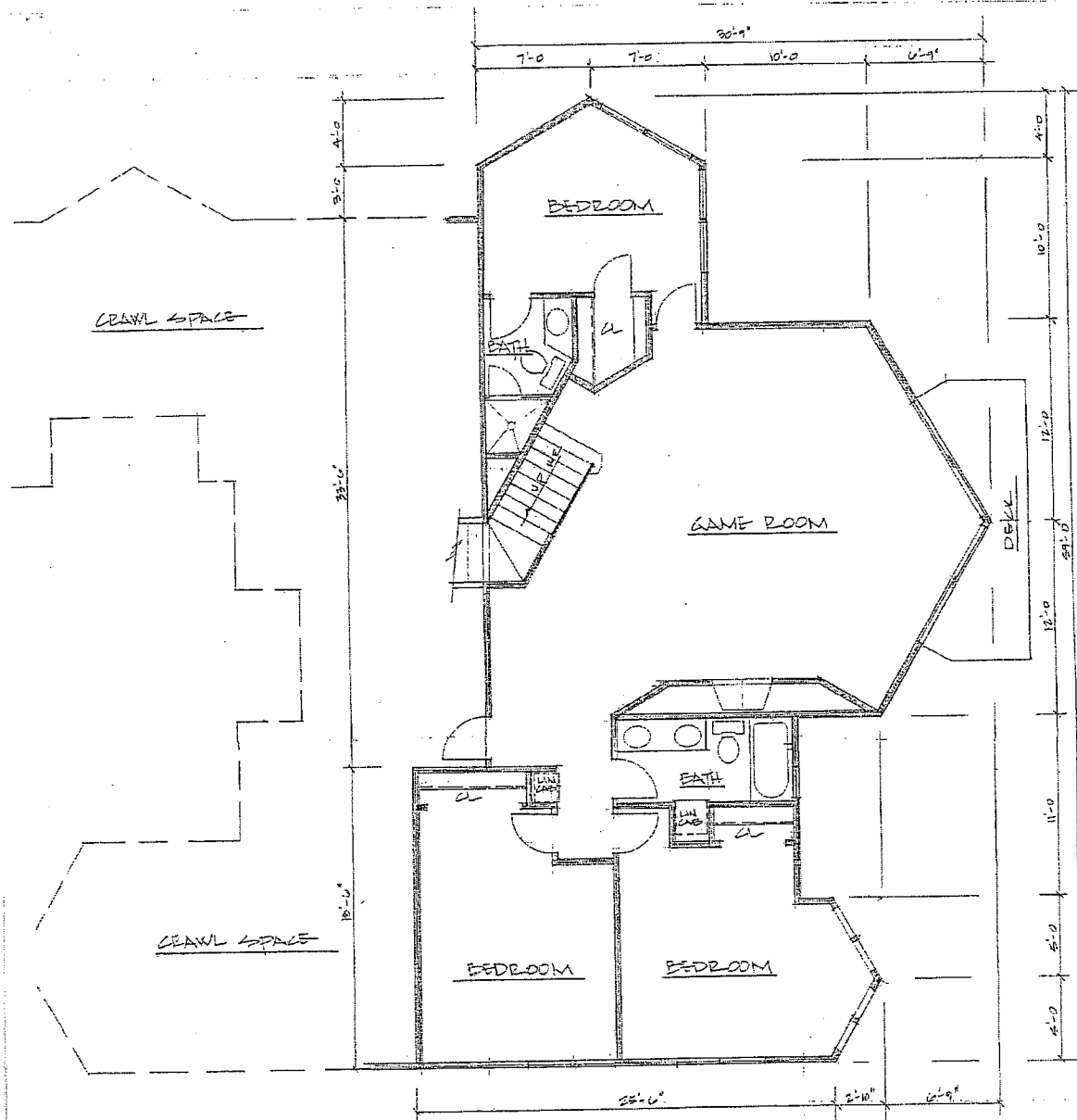
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Minor Use Permit
ANDERSON DRC2005-00002

Elevations

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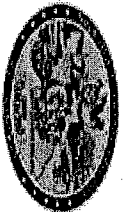


LOWER FLOOR PLAN
SCALE 1/4" = 1' 0" 1320 SQ. FT.

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EXHIBIT

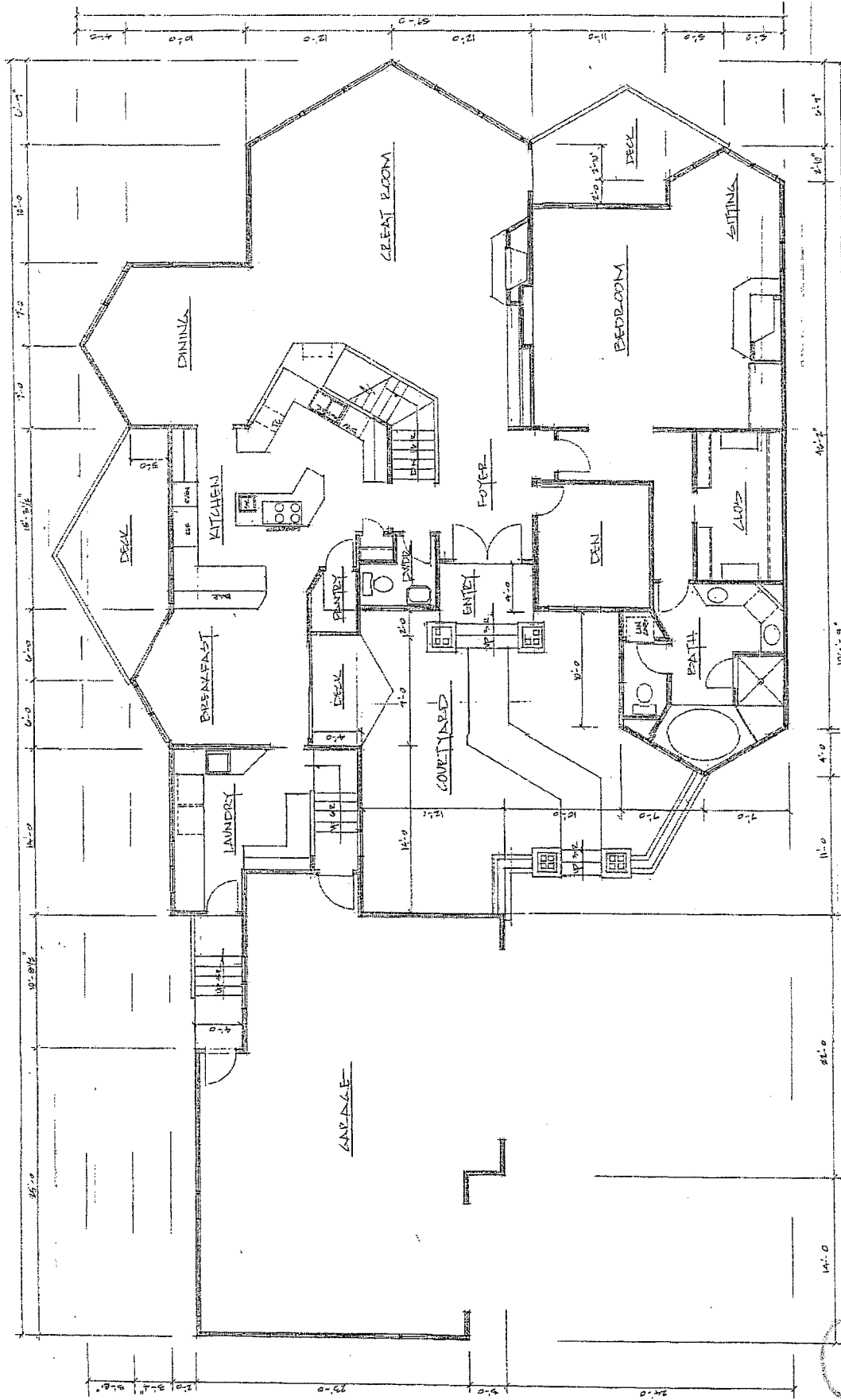
Lower Floor Plan



PROJECT

Minor Use Permit
ANDERSON DRC2005-00002

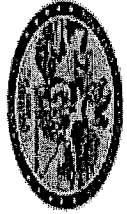
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FLOOR PLAN

EXHIBIT

Second Floor Plan



PROJECT

Minor Use Permit
ANDERSON DRC2005-00002

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COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (KB)

MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED05-107

DATE: November 24, 2005

PROJECT/ENTITLEMENT: Anderson Minor Use Permit DRC2005-00002

APPLICANT NAME: Arthur Anderson
ADDRESS: 387 Hihn St. Felton, CA 95018
CONTACT PERSON: Jeff VanLith

Telephone: (805)528-1366

PROPOSED USES/INTENT: Request by Arthur Anderson for a Minor Use Permit to allow a 4738 square foot single family residence with attached garage. The project will result in the disturbance of approximately 5,000 square feet of a 2.79 acre parcel

LOCATION: The project is located located at the intersection of Starr Lane and Valley View Lane in the community of Los Osos. The site is in the Estero planning area

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
County Government Center, Rm. 310
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: California Coastal Commission

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT 5 p.m. on December 7, 2005

20-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☐ Lead Agency
☐ Responsible Agency approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency



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COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST

Project Title & No. Anderson Minor Use Permit DRC2005-00002; ED 05-107

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

- | | | |
|--|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Geology and Soils | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hazards/Hazardous Materials | <input checked="" type="checkbox"/> Transportation/Circulation |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Wastewater |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Water |
| <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Public Services/Utilities | <input type="checkbox"/> Land Use |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Kerry Brown

Prepared by (Print)

Kerry Brown
Signature

11/23/05
Date

John Nall

Reviewed by (Print)

John Nall
Signature

Ellen Carroll,
Environmental Coordinator
(for)

12/1/05
Date

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Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Arthur Anderson for a Minor Use Permit to allow a 4738 square foot single family residence with attached garage. The project will result in the disturbance of approximately 5,000 square feet of a 2.79 acre parcel. The proposed project is within the Residential Suburban land use category and is located at the northern terminus of Starr Court approximately 80 feet north of Valley View Lane in the community of Los Osos. The site is in the Estero planning area.

ASSESSOR PARCEL NUMBER(S): 074-325-061

SUPERVISORIAL DISTRICT # 2

B. EXISTING SETTING

PLANNING AREA: Estero, Los Osos

LAND USE CATEGORY: Residential Suburban

COMBINING DESIGNATION(S): Local Coastal Plan/Program, Archaeologically Sensitive

EXISTING USES: Undeveloped

TOPOGRAPHY: Nearly level

VEGETATION: Chaparral , coastal scrub, and Morro manzanita

PARCEL SIZE: 2.79 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Open Space; State Park	<i>East:</i> Residential Suburban; residential
<i>South:</i> Residential Suburban; residential	<i>West:</i> Residential Single Family; residential

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C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1.	AESTHETICS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Change the visual character of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create glare or night lighting, which may affect surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project will not be visible from any major public roadway or silhouette against any ridgelines as viewed from public roadways. The project is considered compatible with the surrounding uses.

Impact. No significant visual impacts are expected to occur.

Mitigation/Conclusion. No mitigation measures are necessary.

2.	AGRICULTURAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Convert prime agricultural land to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Conflict with existing zoning or Williamson Act program?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Setting. The soil types include: Baywood fine sand, (9 - 15 % slope). As described in the Natural Resource Conservation Service Soil Survey, the "non-irrigated" soil class is "VI", and the "irrigated" soil class is "IV".

Impact. The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No significant impacts to agricultural resources are anticipated.

Mitigation/Conclusion. No mitigation measures are necessary.

3. AIR QUALITY - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Expose any sensitive receptor to substantial air pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Create or subject individuals to objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be inconsistent with the District's Clean Air Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The Air Pollution Control District (APCD) has developed the CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Impact. As proposed, the project will result in the disturbance of approximately 5,000 square feet. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

Mitigation/Conclusion. No mitigation measures are necessary.

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4. BIOLOGICAL RESOURCES -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The following habitats were observed on the proposed project: Chaparral Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified:

Plants: Morro manzanita (*Arctostaphylos morroensis*) [FT, SE] on site, app. 0.1 miles east 0.4 miles east, 0.4 miles west, 0.5 miles north and 0.9 miles north. Indian Knob mountainbalm (*Eriodictyon altissium*) app. 0.4 miles west. Splitting Yarn Lichen (*Sulcaria isidiifera*) app. 0.5 miles west.

Wildlife: Morro Bay Kangaroo Rat (*Dipodomys heermanni morroensis*) on site, 0.6 miles northeast, and 0.7 miles northwest. Banded Dune snail (*Helminthoglypta Walkeriana*) app. 0.25 miles to the east and 0.7 miles northwest. Coast Horned lizard (*Phrynosoma coronatum*) app. 0.03 miles northwest. Tidewater Goby (*Eucyclogobius newberryi*) app. 0.6 miles northeast.

Habitats: Banded Dune snail habitat 0.5 miles west. Morro Bay Kangaroo Rat habitat app. 0.01 and 0.6 miles north as well as 0.06 miles west. Splitting yarn lichen habitat app. 0.08 miles east. Morro Manzanita Habitat app. 0.6 miles north. Indian knob mountainbalm app. 0.5 miles west. Coastal sage scrub habitat on site. Riparian scrub habitat app. 0.2 miles south. Oak woodland Habitat app. 0.2 miles east. red legged frog habitat app. 0.01 miles north of site.

Impact. The project site supports sensitive native vegetation and special status species.

Special Status Wildlife and Plant Species

The subject site is in the range of the Morro shoulderband snail, a federally listed species. In July 2000, the United States Fish and Wildlife Service provided concurrence that the proposed project site does not support suitable habitat for Morro shoulderband snails and there was no evidence of Morro shoulderband snails found. Thus, there was concurrence that development of the subject property is not likely to result in the take of the Morro shoulderband snail. If the development project results in unanticipated effects to listed species or in the unlikely event that Morro shoulderband snails are subsequently found at this site, the applicant shall suspend activities which could result in take and contact the United States Fish and Wildlife Service to assess any potential effects to listed species and the need for compliance with the Endangered Species Act of 1973.

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A Morro Manzanita Survey, conducted by LFR Levine Fricke in January 2002 and May 2005, identified the presence of maritime chaparral in an excellent, open condition on the project site. All plants identified were natives, and the lack of non-native species is noticeable. Only one individual of the invasive Veldt grass (*Ehrharta calycina*) was found growing within the chaparral stand. The vegetation is dominated by the shrub buckbrush (*Ceanothus cuneatus*), with associated species that include black sage (*Salvia mellifera*), sticky monkey flower (*Mimulus aurantiacus*), and the federally threatened Morro manzanita (*Arctostaphylos morroensis*). The manzanitas were blooming at the time of the survey and were being pollinated by bees. No other rare plants besides Morro manzanita expected to be in maritime chaparral of Los Osos were found during the survey on the surrounding open space area. The area proposed for development will not impact any sensitive species as this area was previously graded as part of the approved subdivision that created the parcel. Subdivision CO 95-055 designated a building envelope and all impacts to Morro manzanita were mitigated at the time of the subdivision. Mitigation measures from the Parcel Map included setting aside over 50% of the site in an open space easement (2.55 acres), designated building envelopes on 3 of the 4 parcels, and implementation of a Morro manzanita revegetation plan.

Mitigation/Conclusion. No significant biological impacts are expected to occur, and no mitigation measures are necessary.

5. CULTURAL RESOURCES -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Disturb pre-historic resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Disturb historic resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb paleontological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located in an area historically occupied by the Obispeno Chumash. No historic structures are present and no paleontological resources are known to exist in the area.

Impact. A Phase I surface survey was conducted (Robert O. Gibson in February, 1984). The results of the survey found that portions of Valley View Lane and the proposed homesite for parcel 4 is located within archaeological site CA-SLO-1081. The map within Gibson's report estimates the archaeological site's size to be approximately 0.65 acres. According to Gibson's study, the original grading of Valley View Lane, which occurred prior to 1984, destroyed a portion of the archaeological site. However, the remaining archaeological site outside the roadway alignment appears to be largely intact. In 1984, a previous owner of the subject property had proposed a realignment of Valley View Lane which would have further impacted the archaeological site. Gibson's report was originally intended to review those potential adverse impacts. As part of the mitigation for the proposed road alignment, approximately three to five percent of CA-SLO-1081 was excavated and analyzed by an archaeologist. The excavation represented approximately 10 percent of the total area within CA-SLO-1081 which would have been disturbed by the previous road alignment. However, after the required archaeological excavation work had been completed, the applicant withdrew their proposal, for unknown reasons.

Valley View Lane was installed as a part of the improvements associated with subdivision CO 95-055. Minimal disturbance to the archaeological site is expected, due to the proposed new residence. Nevertheless, to mitigate any further potential adverse impacts to CA-SLO-1081, the applicant has agreed to having a qualified archaeologist monitor all grading work associated with the new

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residence. If any archaeological resources are unearthed during grading for the residence, work shall stop to allow an evaluation by the archaeologist. The applicant has agreed to implement all recommendations of the archaeologist.

Impacts to historical or paleontological resources are not expected.

Mitigation/Conclusion. The project will be required to incorporate the following measures to reduce potentially significant impacts to cultural resources to less than significant levels:

1. All grading and earth disturbing activities on the subject property shall be monitored by a qualified archaeologist. (See Mitigation summary)

6. GEOLOGY AND SOILS -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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9. POPULATION/HOUSING -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES -
Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Setting. The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station (South Bay station 15) is approximately 1 mile to the northwest. The closest Sheriff substation is in Los Osos, which is approximately 1.3 miles from the proposed project. The project is located in the San Luis Coastal Unified School District.

Impact. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. Public facility (county) and school (State Government Code 65995 et sec) fee programs have been adopted to address the project's direct and cumulative impacts, and will reduce the impacts to less than significant levels.

11. RECREATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase the use or demand for parks or other recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Affect the access to trails, parks or other recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The County Trails Plan shows that a potential trail does go through the proposed project. The project is not proposed in a location that will affect any trail, park or other recreational resource.

Impact. The proposed project will not create a significant need for additional park or recreational resources.

Mitigation/Conclusion. No significant recreation impacts are anticipated, and no mitigation measures are necessary.

12. TRANSPORTATION/ CIRCULATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase vehicle trips to local or areawide circulation system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Reduce existing "Levels of Service" on public roadway(s)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Provide for adequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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12. TRANSPORTATION/ CIRCULATION - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
f) Result in inadequate internal traffic circulation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Result in a change in air traffic patterns that may result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Future development will access onto the following public road(s): Starr Lane, Valley View Lane, and Bayview Heights Drive. These identified roadways are operating at acceptable levels. A referral was sent to Public Works, no significant traffic-related concerns were identified.

Impact. The proposed project is estimated to generate about 10 trips per day, based on the Institute of Traffic Engineer's manual of 10 trips/unit. This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels.

Mitigation/Conclusion. This project, along with numerous others in the area will have a cumulative effect on roads. South Bay road fees have been adopted to address this impact and will reduce the cumulative impact to a level of insignificance.

13. WASTEWATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Adversely affect community wastewater service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site is located in the community of Los Osos. In 1988, the California Regional Water Quality Control Board imposed a moratorium on new sources of sewage discharge in the community of Los Osos. In 1999, exemptions to the moratorium in the Bayview Heights and Martin Tract areas of Los Osos were allowed provided parcels met certain criteria.

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Impact. The project proposes an on-site system. Based on the Natural Resource Conservation Service (NRCS) Soil Survey map, the soil type is Baywood fine sand. This soil is not identified as having soil percolation limitations for a standard on-site septic system and combined with gently sloping areas and deeper soils presents minimal potential for septic system failures or groundwater contamination.

Mitigation/Conclusion. The leach lines shall be located at least 100 feet from any private well and at least 200 from any community/public well. Implementation of the following mitigation measures will reduce potential wastewater impacts to less than significant levels:
Prior to building permit issuance, the applicant shall provide documentation that an exemption from the Regional Water Quality Control Board has been granted for the parcel.

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Water Usage and Quality - Setting. Water is to be provided by a community system. Cal Cities Water, is the the water purveyor for this part of Los Osos. The water source is the Los Osos groundwater basin.

The Estero Area Plan, adopted in 1988, identified a possible Level of Severity II for water supply in Los Osos because water consumption was approaching the estimated safe yield of the Los Osos Valley groundwater basin. The Plan also established "interim service capacity allocation" planning area standards for water use that are to remain in effect until a resource capacity study provides more current information regarding the basin's safe yield.

Groundwater production from the basin overall has exceeded the basin yield in eight years since 1985. Production increased steadily from 1978 to 1988 when the Regional Water Quality Control Board imposed a prohibition on new septic system discharges. Water production has remained stable since then; however, it has been distributed in such a way as to cause excessive pumpage in some areas, resulting in seawater intrusion in the vicinity of Pecho Road. In other areas, pumpage has not been sufficient to offset recharge of wastewater from on-site septic systems, resulting in rising water levels.

A consultant study jointly sponsored by the Los Osos water purveyors resulted in the calibration of the previous USGS computer model of the basin. Use of that model in conjunction with other analytical

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methodologies resulted in a revised estimate of safe yield for the groundwater basin, as reported in the *Los Osos Community Services District Water Master Plan*, August 2002. Under that plan, the safe yield of the groundwater basin, both with and without a community wastewater system, was estimated to exceed total existing demand (agricultural, private rural wells, and urban domestic) within the groundwater basin. However, when compared to estimated demand at buildout under the Board of Supervisors-approved *Estero Area Plan* (not yet in effect), safe yield without a community wastewater system was estimated to be less than estimated future demand, while with a community wastewater system, safe yield was estimated to be roughly in balance with future demand. Based on those conclusions, together with estimates of when groundwater capacity might be reached, the latest annual report of the Resource Management System recommends no level of severity for the Los Osos groundwater basin.

Recently, Cleath & Associates prepared a draft *Water Management Plan for the Los Osos Valley Groundwater Basin*, dated May 2005, for the Los Osos Community Services District. The purpose of that plan is to identify water management strategies to achieve a water supply that can sustain future buildout of the community. The plan lowered previous estimates of safe yield of the groundwater basin by about 300 acre-feet per year in order to allow for recovery of the lower aquifer to the extent that seawater intrusion ceases. As a result, the plan estimates that the safe yield of the basin without a wastewater project is 3,250 acre-feet per year, and safe yield with the proposed wastewater project would be 3,630 acre-feet per year. Given that total existing demand (agricultural, private rural wells, and urban domestic) within the groundwater basin is estimated at 3,380 acre-feet per year, the new information means that the groundwater basin is currently in overdraft. With implementation of the proposed wastewater project, the resulting increase in safe yield would eliminate the current overall basin overdraft, but it would not resolve the seawater intrusion concern, and would not provide a supply that would sustain the estimated water demand at buildout under the proposed *Estero update* (estimated to be 4,000 acre-feet per year by the August 2002 *Los Osos Community Services District Water Master Plan*). The estimated difference (shortfall) between safe yield and demand at buildout would be 370 acre-feet per year, assuming construction of the proposed wastewater project. However, that shortfall could be significantly reduced through wastewater reuse and additional conservation programs, according to the draft *Water Management Plan*.

The topography of the project is nearly level. The closest creek (Los Osos Creek) from the proposed development is approximately 0.15 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

Impact. As proposed, the project will result in the disturbance of approximately 5,000 square feet. Based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 0.85 acre feet/year.

1 residential lots (0.85 afy X 1 lots) = 0.85 afy

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

Mitigation/Conclusion. Since, this study is in draft form and the proposed project is for development of three residences on existing parcels staff has concluded the project will not impact water quantity.

Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

15. LAND USE - Will the project:

Inconsistent

Potentially
Inconsistent

Consistent

Not
Applicable

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15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Be potentially inconsistent with any habitat or community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be potentially incompatible with surrounding land uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The proposed project is within the area proposed for a community-wide (for Los Osos) Habitat Conservation Plan area for protection of habitat for the Morro shoulderband snail. The project will not impact the Morro shoulderband snail and therefore be consistent with the community-wide habitat conservation plan.

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of				

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California history or prehistory?

☐☒☐☐

- b) *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)*

☐☐☒☐

- c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

☐☐☒☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ceqa/guidelines/" for information about the California Environmental Quality Act.

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Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input type="checkbox"/>	County Environmental Health Division	Not Applicable
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input checked="" type="checkbox"/>	CA Coastal Commission	None
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry	Attached
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input checked="" type="checkbox"/>	Los Osos Community Service District	In File**
<input type="checkbox"/>	Other _____	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable

** "No comment" or "No concerns"-type responses are usually not attached

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

- | | |
|--|--|
| <input checked="" type="checkbox"/> Project File for the Subject Application
<u>County documents</u>
<input type="checkbox"/> Airport Land Use Plans
<input checked="" type="checkbox"/> Annual Resource Summary Report
<input type="checkbox"/> Building and Construction Ordinance
<input checked="" type="checkbox"/> Coastal Policies
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:
<input checked="" type="checkbox"/> Agriculture & Open Space Element
<input checked="" type="checkbox"/> Energy Element
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)
<input checked="" type="checkbox"/> Housing Element
<input checked="" type="checkbox"/> Noise Element
<input type="checkbox"/> Parks & Recreation Element
<input checked="" type="checkbox"/> Safety Element
<input checked="" type="checkbox"/> Land Use Ordinance
<input type="checkbox"/> Real Property Division Ordinance
<input checked="" type="checkbox"/> Trails Plan
<input type="checkbox"/> Solid Waste Management Plan | <input checked="" type="checkbox"/> Estero Area Plan and Update EIR
<input type="checkbox"/> Circulation Study
<u>Other documents</u>
<input checked="" type="checkbox"/> Archaeological Resources Map
<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input type="checkbox"/> Other _____ |
|--|--|

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In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Jones and Stokes Snail Survey 2/27/98

LFR Levine Fricke Morro Manzanita Survey 1/17/02

Cultural Resources Report Robert O. Gibson in February, 1984

Los Osos Community Services District Water Master Plan, August 2002, John L. Wallace & Associates in association with Cleath & Associates

Draft Water Management Plan for the Los Osos Valley Ground Water Basin, May 2005, Cleath & Associates

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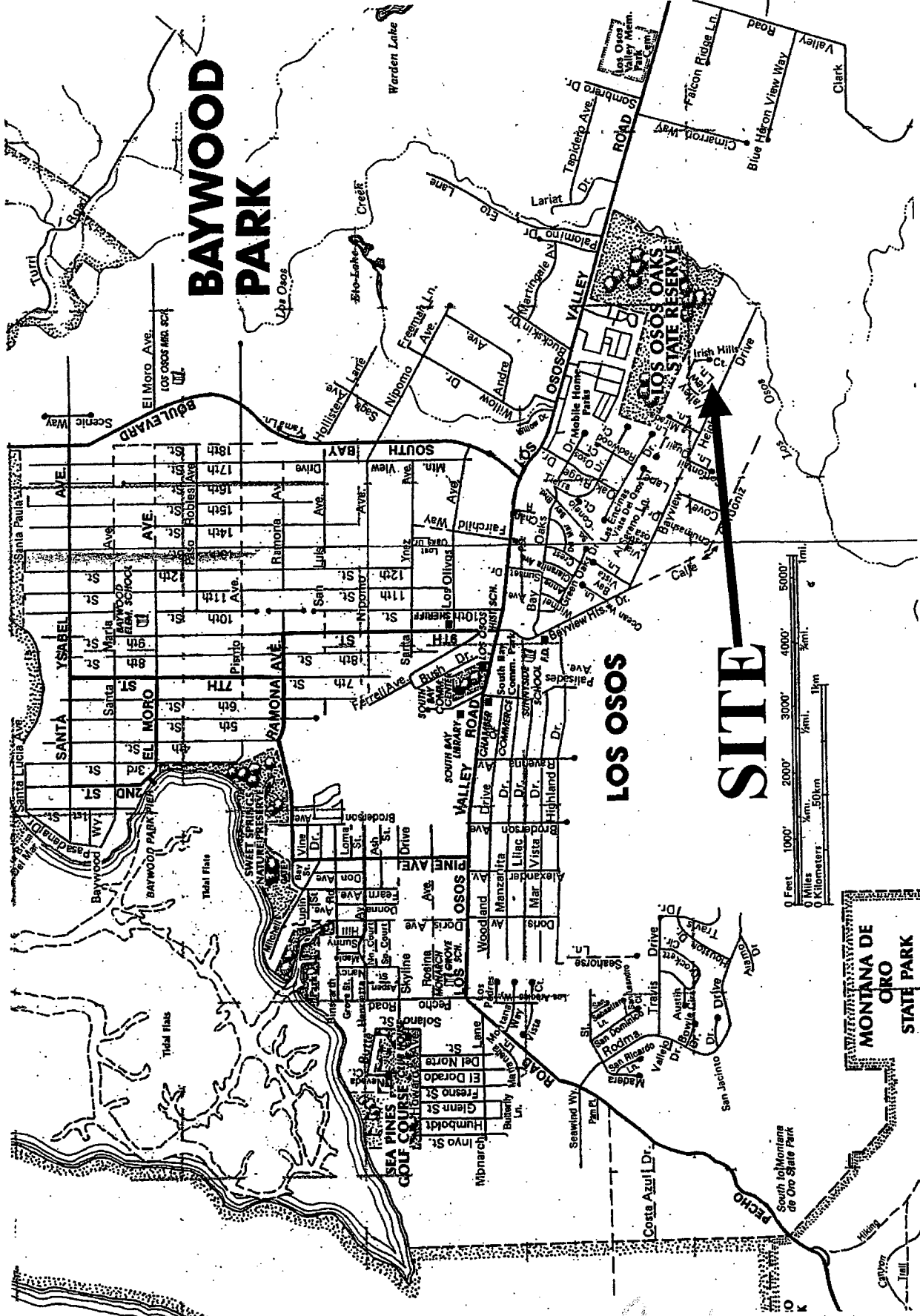
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Exhibit B - Mitigation Summary Table

- CR-1 **Prior to issuance of construction permits**, the applicant shall submit a monitoring plan prepared by a subsurface qualified archaeologist, for the review and approval of the Environmental Coordinator. The monitoring plan shall include:
- A. List of personnel involved in the monitoring activities;
 - B. Description of how the monitoring shall occur;
 - C. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
 - D. Description of what resources are expected to be encountered;
 - E. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
 - F. Description of procedures for halting work on the site and notification procedures;
 - G. Description of monitoring reporting procedures.
- CR-2. **During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist, approved by the Environmental Coordinator, to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigations as required by the Environmental Coordinator.
- CR-3. **Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection, whichever occurs first**, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.
- WW-1 Prior to building permit issuance, the applicant shall provide documentation that an exemption from the Regional Water Quality Control Board has been granted for the parcel.

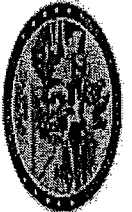
C-6
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PROJECT

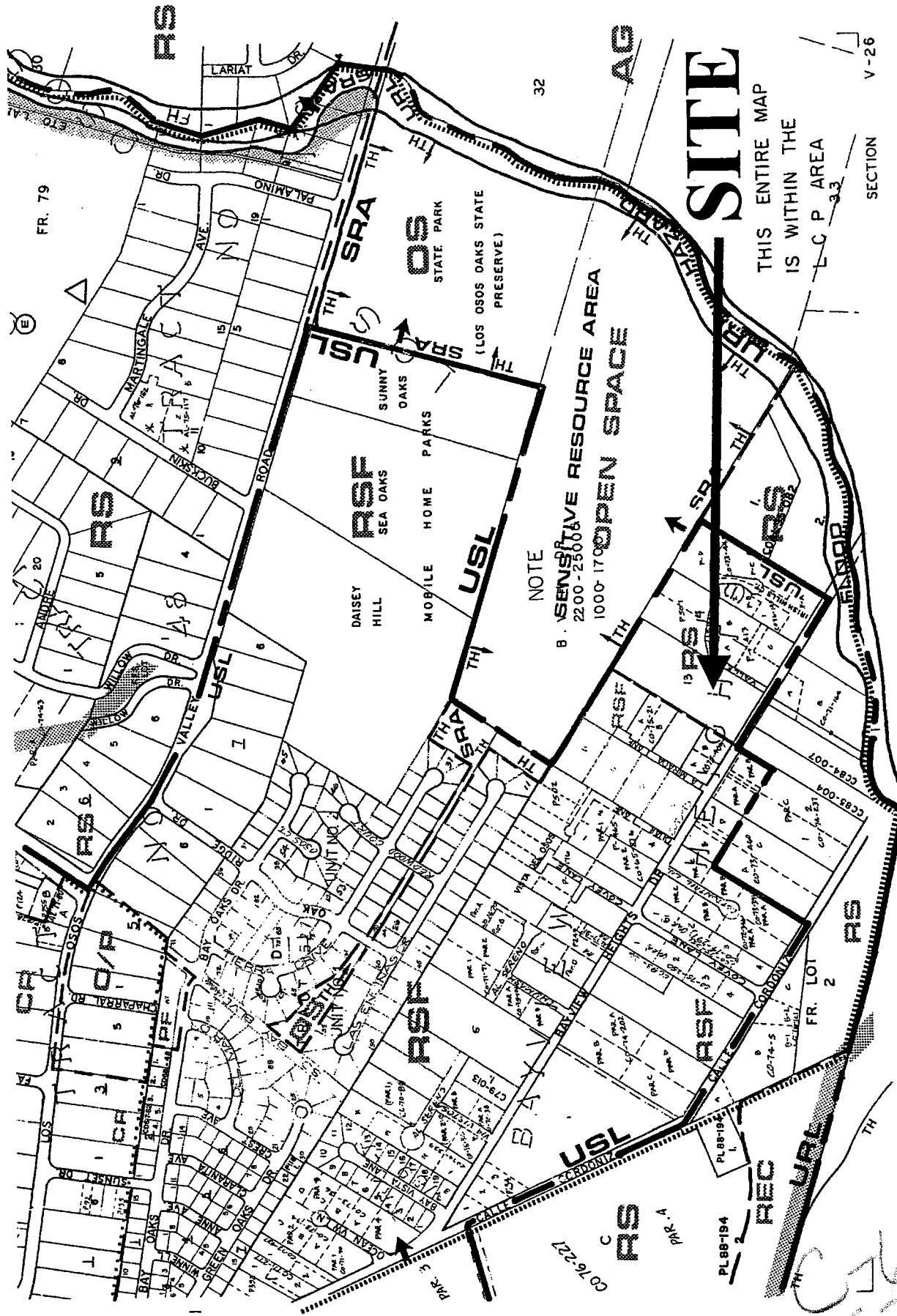
Minor Use Permit
ANDERSON DRC2005-00002



EXHIBIT

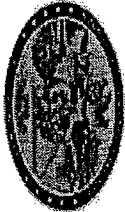
Vicinity Map

11-42



EXHIBIT

Land Use Map



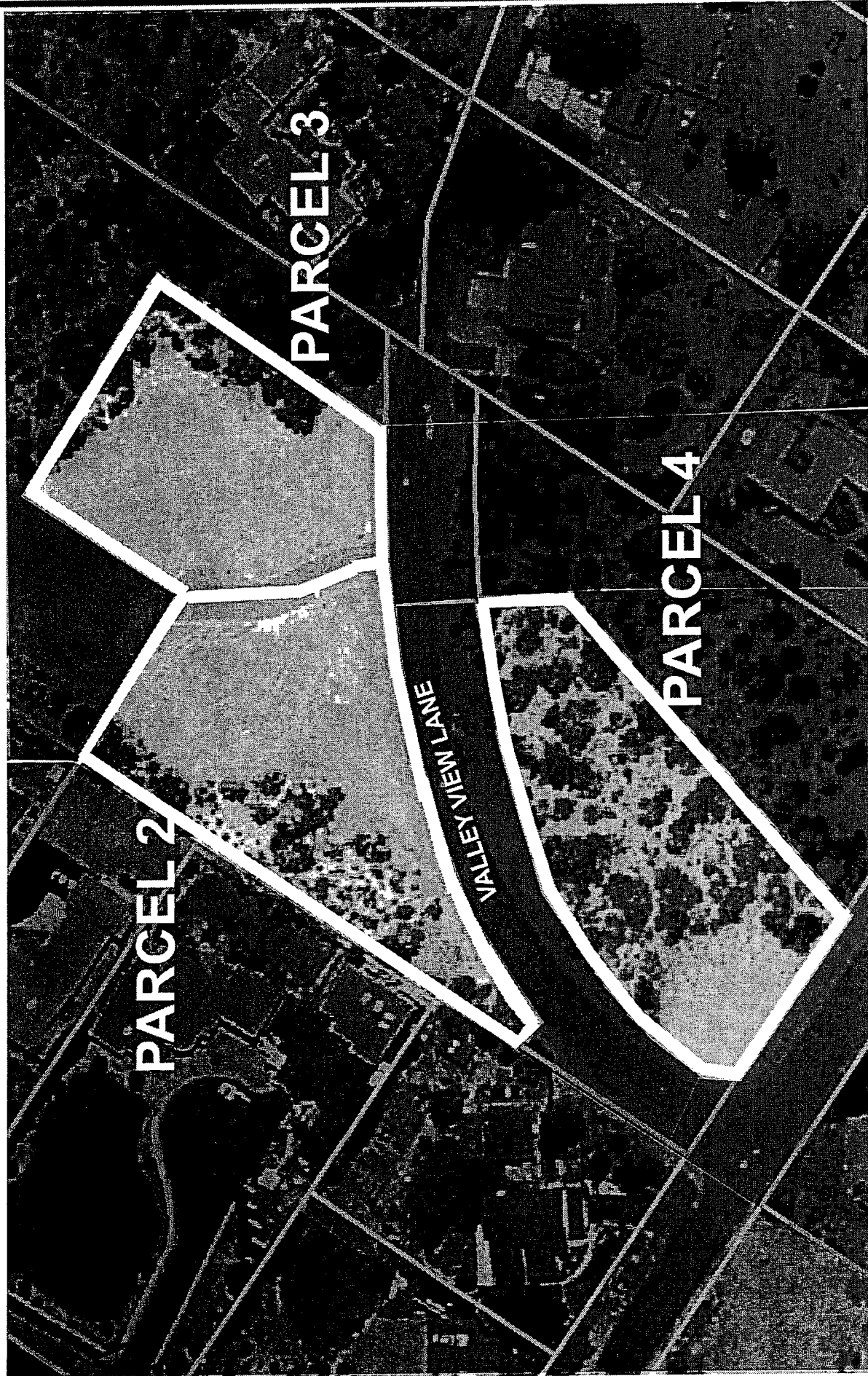
PROJECT

Minor Use Permit

ANDERSON DRC2005-00002

526

11-43



PROJECT

Minor Use Permit
STARR D010161P

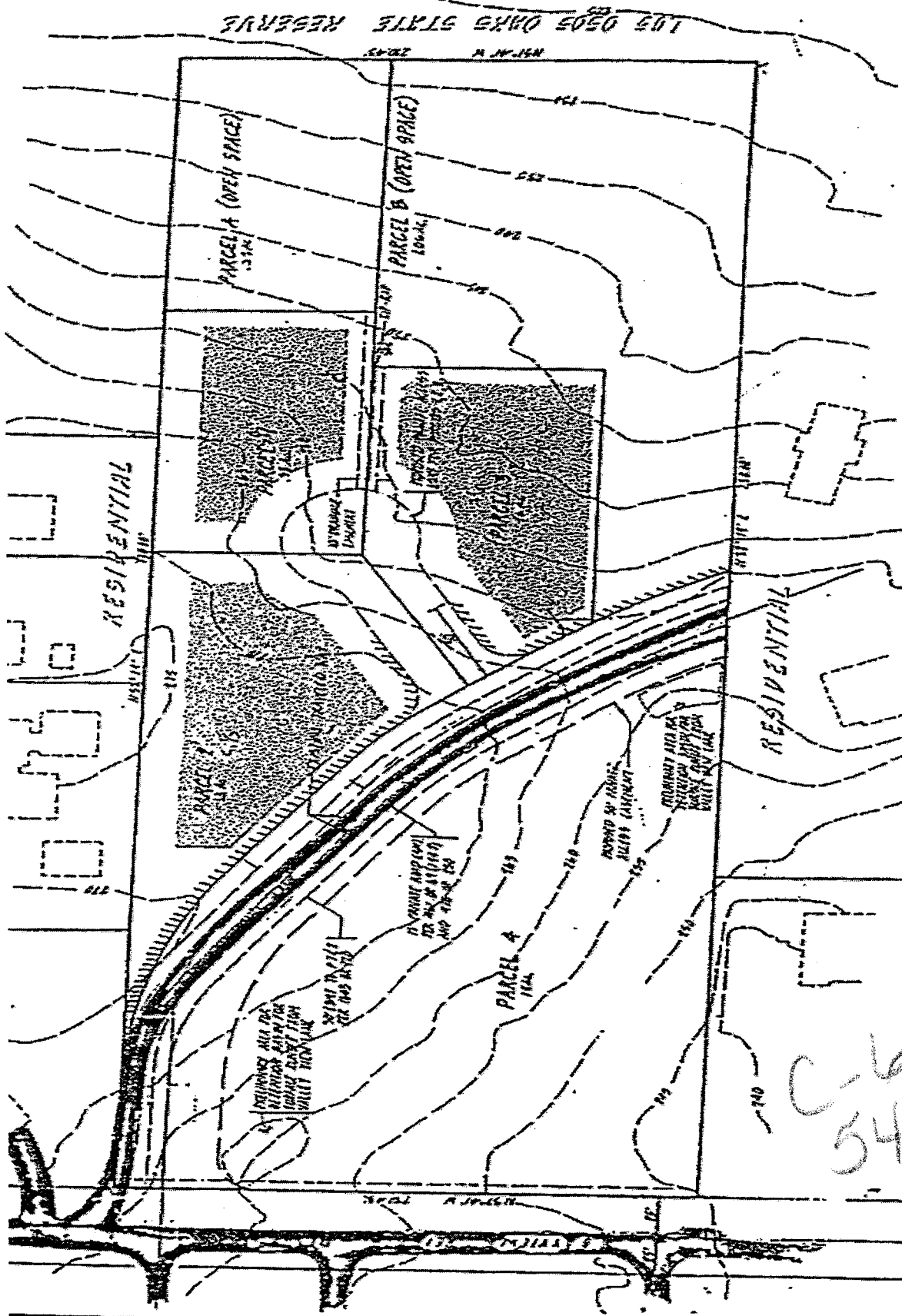
EXHIBIT

Aerial Photo



C-10 53

11-44



EXHIBIT

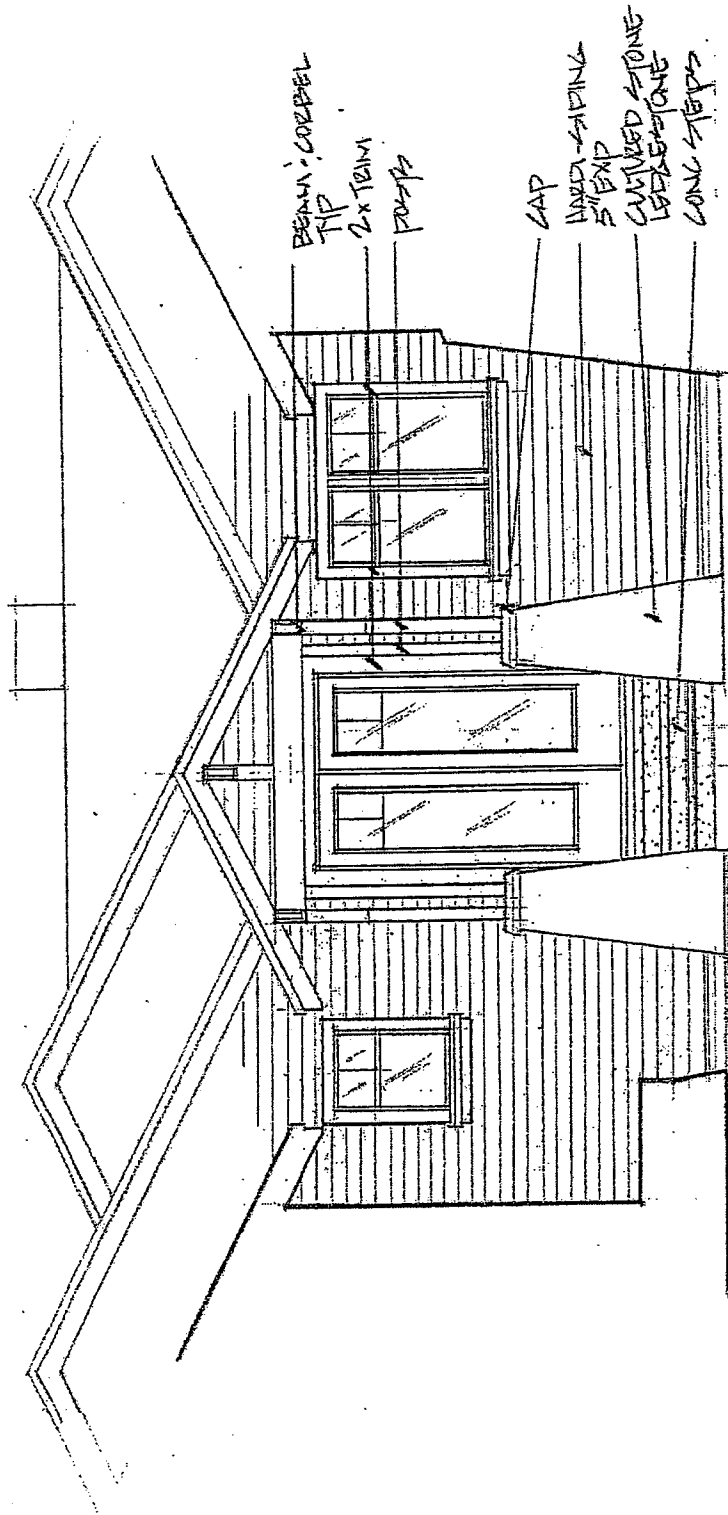
Overall Site Plan



PROJECT

Minor Use Permit
ANDERSON DRC2005-00002

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COURTYARD ELEVATION (SOUTH)

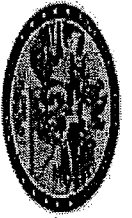
SCALE 1/4" = 1' - 0"

C-6
55

PROJECT

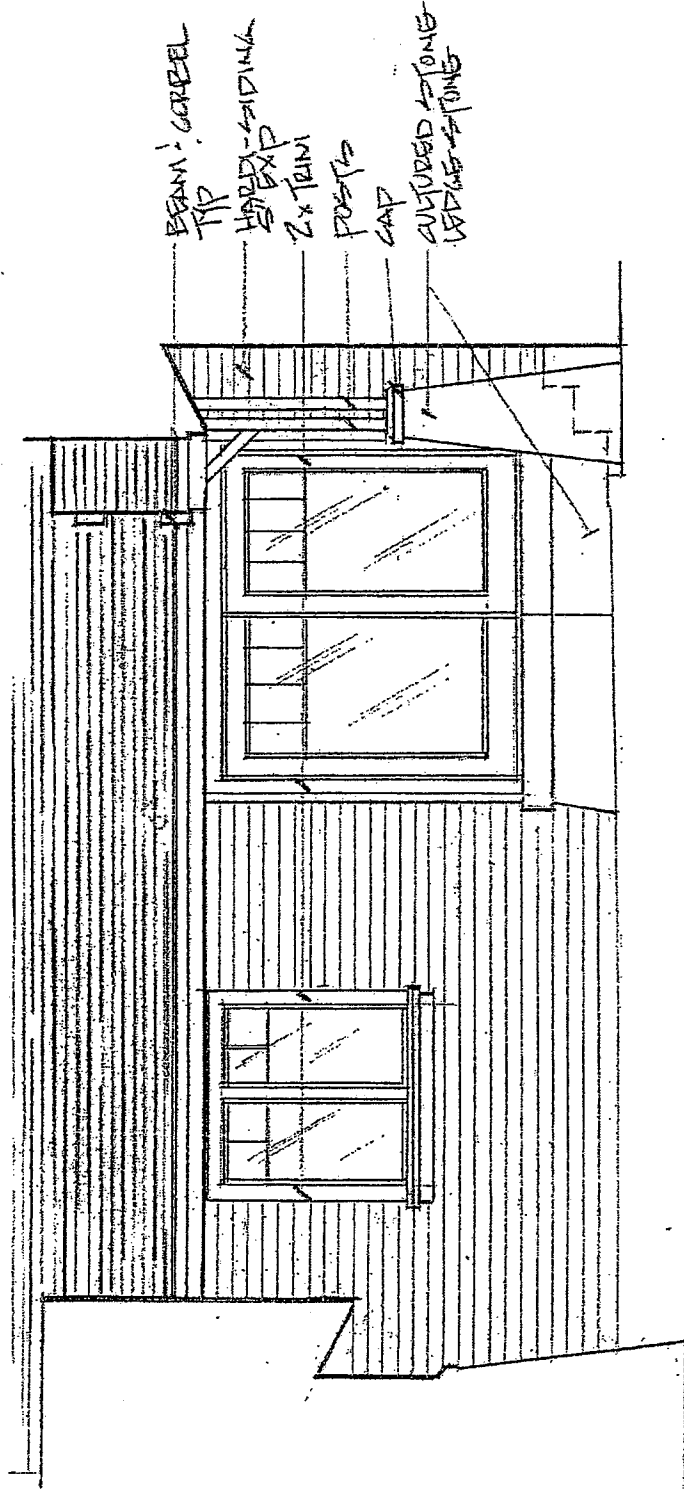
Minor Use Permit
ANDERSON DRC2005-00002

EXHIBIT



Courtyard Elevation

11-49



COURTYARD ELEVATION (EAST)

SCALE 1/4" = 1' - 0

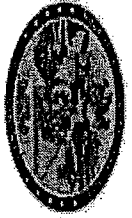
C-6
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PROJECT

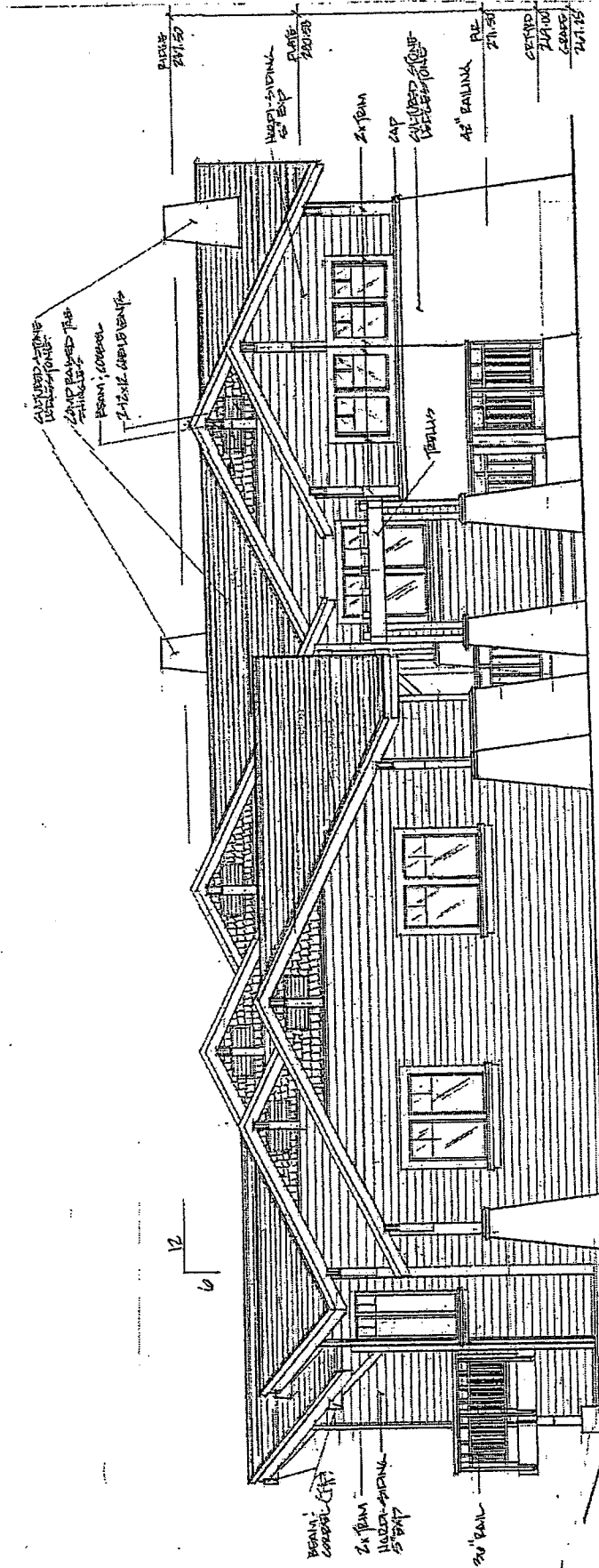
Minor Use Permit
ANDERSON DRC2005-00002

EXHIBIT

Courtyard Elevation



11-49



SOUTH ELEVATION

SCALE: 1/4" = 1'-0"

57

PROJECT

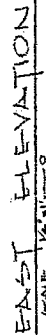
Minor Use Permit

ANDERSON DRC2005-00002

EXHIBIT

Elevations





C-6
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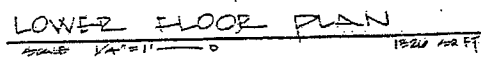
Minor Use Permit
ANDERSON DRC2005-00002



Elevations

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59

SAM LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING



C-6
60

PROJECT Minor Use Permit
ANDERSON DRC2005-00002

Lower Floor Plan



FLOOR PLAN



Minor Use Permit
ANDERSON DRC2005-00002

上海外灘

Second Floor Plan

11-55

October 31, 2005

**DEVELOPER'S STATEMENT FOR
ANDERSON MINOR USE PERMIT/COASTAL DEVELOPMENT PERMIT;
ED05-107 (DRC2005-00002)**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

Archaeology

1. **Prior to issuance of construction permits**, the applicant shall submit a monitoring plan prepared by a subsurface qualified archaeologist, for the review and approval of the Environmental Coordinator. The monitoring plan shall include:
 - a. List of personnel involved in the monitoring activities;
 - b. Description of how the monitoring shall occur;
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 - d. Description of what resources are expected to be encountered;
 - e. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
 - f. Description of procedures for halting work on the site and notification procedures;
 - g. Description of monitoring reporting procedures.

Monitoring: A plan shall be submitted by the consulting archaeologist.
Compliance will be verified by the Department of Planning and Building.

2. **During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist, approved by the Environmental Coordinator, to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigations as required by the Environmental Coordinator.

C-6
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11-56


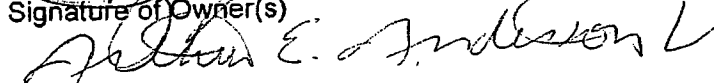
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Monitoring: A report shall be submitted by the consulting archaeologist. Compliance will be verified by the Department of Planning and Building.

4. Prior to building permit issuance, the applicant shall provide documentation that an exemption from the Regional Water Quality Control Board has been granted for the parcel.

Monitoring: Compliance will be verified by the Department of Planning and Building.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.


Signature of Owner(s)


Date 11/4/05

Name of Owner - Print

Cheryl J. Anderson
Arthur E. Anderson, Jr.

C-6
63



11-57

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

JUL 11 2005

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

7/7/05

FROM

Anderson

TO

Coastal Team

(Please direct response to the above)

DRC 2005-00002

Project Name and Number

Development Review Section (Phone:

788-2009

*OR ASK THE SWITCH-
BOARD FOR THE PLANNING

PROJECT DESCRIPTION:

MUP → SFR w/ garage. 4,738
sq. ft. total. Located off Starr Court in Los Osos
on 2.79 acres. APN: 074-325-061.

Return this letter with your comments attached no later than:

7/22/05

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

RECOMMEND APPROVAL - NO CONCERNS AT THIS TIME.

Land Fees will be due with Bldg Permit.

08 AUG 2005

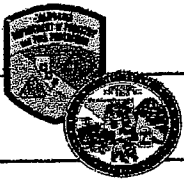
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Name

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Phone

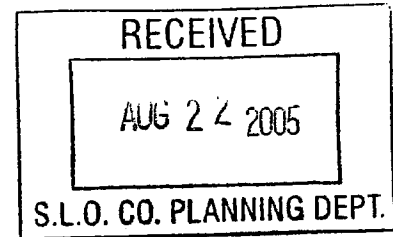


CDF/San Luis Obispo County
Fire Department

635 N. Santa Rosa • San Luis Obispo • California, 93406

11-58

August 17, 2005



County of San Luis Obispo
Department of Planning/Building
County Government Center
San Luis Obispo, CA 93408

Dear Coastal Team,

MINOR USE PLAN

Name: Anderson Project Number: DRC2005-00002

The Department has reviewed the minor use plans submitted for the proposed single family residence project located on Starr Crt., Los Osos. The property is located within moderate fire hazard severity area, and will require a minimum 5 minute response time from the nearest County Fire Station.

The owner of the project shall meet the minimum fire and life safety requirements of the California Fire Code (1998 edition) with amendments. This fire safety plan shall remain on the project site until final inspection. The following standards are required:

BUILDING SETBACKS

All parcels one acre and larger shall provide a minimum 30-foot setback from all property lines.

ROOF COVERINGS

All new structures within "moderate" fire severity zones shall have a minimum of at least a Class A roof covering.

FIRE EXTINGUISHING SYSTEM

- The proposed project is required to install a residential fire/life safety sprinkler system.
- The automatic fire extinguishing system shall comply with National Fire Protection Association Pamphlet 13D.
- Plans shall be submitted for review and approval to the County Building Department.
- The Contractor shall be licensed by the State of California [CFC 1003.1.1 amended/Title 19, Section 19.20.029 (a)].

COMMUNITY WATER SYSTEM

- Emergency water supplies shall meet the minimum fire flow requirements as identified in the California Uniform Fire Code, Section 903.1, 903.2, 903.3 and 903.4 as amended, and in Appendix III-A.
- The proposed project shall provide a minimum 1000 gallons of water per minute for 120 minutes.
- The minimum water main size shall not be less than six (6) inches.
- Pressures may not be less than 20 psi, nor more than 150 psi (Appendix IIIA).

WATER SUPPLY CONNECTION

One fire hydrant shall be required.

- Fire hydrants are to be located with a maximum normal spacing of 500 feet as measured along vehicular travel ways.
- The County Fire Department will assist in hydrant placement and approve distribution system when plans are submitted.
- Fire hydrants shall have two, 2½-inch outlets with National Standard Fire thread, and one 4½ inch suction outlet with National Standard Fire thread.
- The Chief shall approve other uses not identified.
- Signing: Each hydrant shall be identified by blue reflective dot.
 - (a) On a fire resistive post within 3 feet of fire hydrant.
 - (b) On a non-skid surface, center of roadway, to the fire hydrant side.

C-6
65

ACCESS

Access road width shall be 18 feet.

Driveway width shall be 10 feet.

All road and driveway surfaces shall be all weather.

All surfaces shall be constructed to meet a load capacity of 20 tons.

Any grade exceeding 12% shall be a non-skid surface.

11-59

ADDRESSING

Legible address numbers shall be placed on all residences.

Legible address numbers shall be located at the driveway entrance.

VEGETATION CLEARANCE

To provide safety and defensible space the following shall be required:

To each side of roads and driveways a 10-foot fuelbreak shall be provided.

Maintain around all structures a 30-foot firebreak.

➤ This does not apply to landscaped areas and plants.

Remove any part of a tree that is within 10 feet of a chimney outlet.

Maintain any tree adjacent to or overhanging any building free of deadwood.

Maintain the roof of any structure free of leaves, needles or other dead vegetative growth.

FINAL INSPECTION

The project will require final inspection. Please allow five (5) working days for final inspection. When the safety requirements have been completed, call Fire Prevention at (805) 543-4244, extension 2220, to arrange for a final inspection. Currently Southern San Luis Obispo County inspections occur on Tuesdays and North County inspections occur on Thursdays.

Further information may be obtained from our website located at www.cdfslo.org ~ Planning and Engineering section. If we can provide additional information or assistance, please call (805) 543-4244.

Sincerely,



Gilbert R. Portillo
Fire Inspector

C:

C-6
66



11-60

MEMORANDUM

TO: Department of Planning and Building
Coastal Team

FM: George J. Milanés, Utilities Manager *GM 7/25/05*

RE: Project Referrals

DATE: July 25, 2005

Project Number/Name

DRC 2005-00002/ Anderson

District purview limited to storm drainage in the Cabrillo Estates subdivision. Project should not create erosion or storm water run-off from the property and/or construction site. Mitigation recommended for these impacts during the wet weather period (October – May)

Should you have any questions, please contact Margaret Falkner of my staff at 528-9376.

*C-6
67*



KOE 11-61
 SAN LUIS OBISPO COUNTY
 DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
 DIRECTOR

THIS IS A NEW PROJECT REFERRAL

RECEIVED
 JUL 14 2005

DATE:

7/7/05

TO:

Los Osos CSD

FROM:

Coastal Team

(Please direct response to the above)

BY: AM

Anderson

DRL 2005-00002

Project Name and Number

Development Review Section (Phone:

788-2009)

*OR ASK THE SWITCH-
 BOARD FOR THE PLANNERS

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See attached -

Date

7/25/05

Name

[Signature]

Phone

528-9376

11-62

October 31, 2005

**DEVELOPER'S STATEMENT FOR
ANDERSON MINOR USE PERMIT/COASTAL DEVELOPMENT PERMIT;
ED05-107 (DRC2005-00002)**

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